

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.4146 OF 2016

Chitra Anant Salunke

Petitioner

versus

The State of Maharashtra and others

Respondents

Mr.Mahesh Waswani with Ms.Shreya Tiwari, Dharini Nagda,
Advocates for Petitioner.

Mr.Ajay Patil, APP, for State.

**CORAM : A.S.GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 17th April 2023

PC :

1. Present Petition is under Article 226 of the Constitution of India for lodgment of crime on the basis of complaint dated 10th April 2015 lodged by the Petitioner with Additional Commissioner of Police, Byculla, Mumbai, on which cognizance has not been taken by Police Authorities.

2. It is the settled principle of law and as has been reiterated by Hon'ble Supreme Court in its decision in the case of *M.Subramaniam and another Vs. S.Janaki and another*¹ that, Petition under Article 226 of the Constitution of India for lodgment of crime is not maintainable.

3. In view of the above, learned Advocate for the Petitioner seeks

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leave to withdraw present Petition with liberty to file a private complaint, if so advised and as may be permissible under the provisions of law.

Leave and liberty granted.

4. Petition is disposed off as withdrawn with aforesaid liberty.

(PRAKASH D. NAIK, J.)

(A.S.GADKARI, J.)

MST