IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4828 OF 2018

Meenali Vilas Raut ...Petitioner
V/s.
The State Of Maharashtra ...Respondent

Mr. Pankaj Dwivedi, for Petitioner.
Mrs. S.D. Shinde, A.P.P. for the Respondent-State.

CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.
DATE : 8th FEBRUARY, 2023.

P.C.:-

1. Present Petition is under Article 226 of the Constitution of India for lodgment of crime on the basis of complaint dated 04.06.2018 lodged by the Petitioner with Vakola Police Station, Santacruz (East) Mumbai, on which cognizance has not been taken by the Police Authorities.

2. It is the settled position of law and as has been reiterated by Supreme Court, in its decision in the case of *M. Subramaniam & Anr. Vs. S. Janaki & Anr., reported in (2020) 16 SCC 728* 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 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 Petition is disposed off as withdrawn with aforesaid liberty.

SAJAKALI LIYAKAT JAMADAR
Digitally signed by SAJAKALI LIYAKAT JAMADAR
Date: 2023.02.13 11:37:28 +0530

(PRAKASH D. NAIK, J.) (A.S. GADKARI, J.)