

GRM

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

CRIMINAL WRIT PETITION NO. 115 OF 2023

Balu Shankar Kamble ... Petitioner

V/s.

Recovery Officer (Shri. Anekar) & Ors. ... Respondents

Mr. Mohan N. Dhamal i/b Vishal M. Dhamal, Adv. for the
Petitioner.

Ms. Anamika Malhotra, APP for the State/Respondent.

CORAM : R. G. AVACHAT, J.

DATED : FEBRUARY 15, 2023

P.C. :

Heard.

2. The challenge in this petition is to the order of dismissal of the complaint under Section 203 of the Code of Criminal Procedure, 1973 (for short “**Cr.P.C.**”) and the order passed by learned Additional Sessions Judge in revision confirming the said order.

3. As such, the original complainant is before this Court. The respondents herein are the officials of HDFC Bank. The petitioner availed a loan from HDFC Bank.

4. According to the petitioner/complainant, he has repaid the loan amount. The respondents/bank officials, however, have not accounted each and every payment made by the petitioner towards

repayment of the loan. It is also his case that the respondents/bank officials would visit his house with a view to recover the loan amount forcibly. It is also his case that the respondents had manhandled him at his own house.

5. Learned Magistrate had directed the concerned police station to make enquiry under Section 202 of Cr.P.C. The report of enquiry indicate no such offence as has been alleged by the petitioner herein did take place. Learned Magistrate passed a reasoned order dismissing the complaint under Section 203 of Cr.P.C. The Revisional Court too did uphold the order of dismissal of the complaint. In exercise of jurisdiction under Section 227 of Constitution of India, this Court finds no reason even to issue notice in this petition.

6. The petition therefore stands dismissed and disposed of accordingly.

(R. G. AVACHAT, J.)