

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3889 OF 2023**

Prerana D/o. Sajjan Bajoria

.....Petitioner

Vs.

The State Of Maharashtra

.....Respondent

Mr. Akash Singh i/by Adv. Ashok M. Saraogi for the Petitioner.

Mr. Ajay Patil APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 15th DECEMBER, 2023.****P.C.:-**

1) Present Petition under Article 226 of the Constitution of India is filed for lodgment of crime on the basis of complaints dated 14th July, 2023, 2nd September, 2023 and 7th October, 2023 submitted by the Petitioner with various Police Authorities, Mumbai, on which cognizance has not been taken by the concerned Police Authorities.

2) It is the settled position of law and as has been reiterated by the Hon'ble Supreme Court 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 thereof, learned Advocate for the Petitioner on instructions seeks leave to withdraw present Petition with liberty to file a private complaint, as may be permissible under the provisions of law.

Leave and liberty granted.

4) Petition is disposed of as withdrawn with aforesaid liberty.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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Date: 2023.12.26
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