

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5863 OF 2018**

M/s. CMS Computers Ltd. And Ors.

...Petitioners

V/s.The Joint Commissioner of Police,
Economic Offences Wing And Ors.

...Respondents

Mr. R.D. Soni a/w Mr. S.N. Gawade i/by Shree & Co. for Petitioners.

Mrs. S.D. Shinde, A.P.P. for the Respondent-State.

Mr. Kalpesh Patil, for Respondent No.2.

Mr. Mahesh Sangle, (A.P.I.) EOW, Mumbai is present.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 12th JANUARY, 2023.****P.C.:-**

1. Record indicate that, on the basis of Complaint dated 22.09.2016 filed by Petitioner, the Inspector of Police and Inquiry Officer attached to the General Cheating III, E.O.W. Mumbai by its communication dated 25.01.2018 has informed the Petitioner that, the matter appears to be of civil nature and has closed the said inquiry.

2. If the Petitioners are aggrieved by the findings recorded by the concerned Inquiry Officer, Petitioners are having substantive alternate remedy under the provisions of Cr.P.C. at their disposal by way of filing private complaint,

3. In view thereof, Mr. Soni, learned counsel for the Petitioner seeks leave to withdraw present Petition with liberty to adopt appropriate alternate remedy as may be permissible under the law.

Leave and liberty granted.

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 Petition is disposed off as withdrawn with aforesaid liberty.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)