



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 416 OF 2024

Meera w/o Babasaheb Jadhav, ... PETITIONER

VERSUS

1. The State of Maharashtra
through, Secretary, Home Department,
State of Maharashtra, Mantralay, Mumbai
2. The Commissioner of Police,
Aurangabad.
3. The Police Inspector
Jawahar Nagar Police Station
Aurangabad

... RESPONDENTS

...

Advocate for the Petitioner : Mr. Almas Abdul Quader
APP for Respondents: Mr. A.D. Wange

...

CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 18.03.2024

PER COURT:

Heard the learned advocate for the petitioner.

2. The petitioner is soliciting a Writ of Mandamus directing the police to take cognizance and register FIR pursuant to her written complaint dated 25.01.2024.

3. The learned advocate for the petitioner submits that the allegations in the complaint disclose cognizable offence. Under the pretext of solemnizing marriage, the person against whom she intends to lodge the crime established relationship. He was prosecuted under Section 376, however, this Court quashed the crime and the criminal

case. It is being alleged that by indulging in forgery he could manage to get that crime quashed and set aside. Even he obtained money from her under one pretext or the other and has been constantly harassing and threatening her.

4. Considering the fact that though in the matter of **Lalita Kumari Vs. Govt. of U.P. and Ors.; AIR 2014 Supreme Court 187** it has been laid down several directions in the matters of registration of FIR, the only thing that has been placed before us by the petitioner is a type written complaint addressed to the Commissioner of Police. It is a single communication addressed to the Commissioner of police of which copies have been delivered to different authorities. There is apparently no compliance with the provisions of Section 154(3) of the Code of Criminal Procedure. We had extended an opportunity to the learned advocate to demonstrate that compliance still to no avail.

5. The writ petition is disposed of granting liberty to the petitioner to resort to the appropriate remedies as are available to her in law, including making an attempt to lodge FIR as contemplated under Section 154 or filing a private complaint under Section 200 or soliciting a direction under Section 156(3) of the Code of Criminal Procedure.

6. We have not express anything on merits.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)