

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

CRIMINAL WRIT PETITION NO. 2619 OF 2018

Kishor Ashok Kamble ... Petitioner
Versus
The State of Maharashtra And Ors. ... Respondents

Mr.V. S. Tadake, for the Petitioner.

Mrs. P. P. Shinde, APP, for the Respondent – State.

API-Shabnam Mujawar, Devrukh Police Station, Ratnagiri, present.

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 24th SEPTEMBER, 2024

P. C. :

Heard learned Counsel for the parties.

2 By this petition, the petitioner seeks a direction to the Murshi Police Station, Ratnagiri, to register an FIR as against the respondent Nos. 5 to 9 for giving false affidavit before the Special Executive Magistrate, Sangameshwar, Devrukh. The said affidavit is at Exh.D, at page No. 21.

**REKHA
PRAKASH
PATIL**

Rekha Patil

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3 Learned APP, on instructions, states that the police after
conducting a preliminary inquiry, have come to a conclusion that the
dispute is of a civil nature and accordingly, have communicated the
said decision to the petitioner vide letter dated 29th September,
2018.

4 In view of the aforesaid decision, nothing survives for further
consideration in the petition. Petition is dismissed.

5 Needless to state that it is now open for the petitioner to adopt
appropriate remedy, as may be maintainable in law, before the
appropriate forum/Court.

6 We make it clear that we have not gone into the merits of the
affidavit or the complaint made by the petitioner to the police and as
such, all contentions of all parties are kept open.

7 Petition is disposed of accordingly.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.