

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

CRIMINAL WRIT PETITION NO. 3911 OF 2023

Sulochana Devi Ghanshyam Lohia And Ors. Petitioners

Versus

State Of Maharashtra And Ors. Respondents

Mr. Subhash Jha i/b Law Global, for the Petitioners.

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

Mr. Balasaheb Todkar, A.P.I., Santacruz Police Station, is present.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.***

DATE : 29th APRIL 2024

P.C. :

1. Heard learned counsel for the parties.
2. The grievance of the petitioners essentially in the aforesaid petition is to the non-registration of an FIR, on the basis of the petitioners' complaints dated 17th May 2023 and 7th September 2023. According to the petitioners, the respondent No.1 be directed to take action against erring police officers since they have flouted the dictum

of the Hon'ble Apex Court, as laid down in the case of **Lalita Kumari V/s. State of UP.**¹

3. On 18th January 2024, the following order was passed :

“1. The grievance of the petitioners is that the police have not taken cognizance of the complaints dated 17th May 2023 and 7th September 2023.

2. Learned APP submits that no complaints were received by the Santacruz Police Station, Mumbai. She submits that on 22nd June 2023, the petitioner No.2 addressed a letter to the Police Inspector, Santacruz Police Station, stating that since M/s. Heena Lifestyles have disobeyed the court orders, his advocate has decided to move the Hon'ble Court for further orders and that they would approach soon thereafter in this matter, to resolve the matter.

3. Learned APP further submits that on 2nd November 2023 a notice was sent to Kamlesh Lohia and Sulochana Lohia by the API, Santacruz Police Station, calling them for inquiry. She submits that despite the said letter, none appeared before the Santacruz Police Station.

4. Mr. Jha, learned counsel for the petitioners assures that the petitioners will attend the Santacruz Police Station, Mumbai, tomorrow i.e. 19th January 2024 between 11:00

¹(2014) 3 SCC 1.

*a.m. and 2:00 p.m. and thereafter as and when called for.
Statement accepted.*

5. Stand over to 1st February 2024.”

4. Pursuant thereto, the petitioner reported to the Santacruz Police Station, Mumbai, on 19th January 2024.

5. Learned A.P.P. on instructions states that after recording of the petitioner’s statement, the police have registered an F.I.R. *vide* C.R.No. 343 of 2024, on 20th March 2024, for the alleged offences punishable under Sections 420, 465, 468, 471 read with Section 34 of the Indian Penal Code. She further submits that the police have also added Section 467 of the IPC on 4th April 2024. We expect that the investigation will be taken by the authorities to its logical end, in accordance with law.

6. In view of the aforesaid, nothing survives for further consideration in the petition. Petition stands disposed off.

7. All concerned to act on the authenticated copy of this order.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.