

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

CRIMINAL WRIT PETITION NO.52 OF 2024

Deepak Babaso Balwan ...Petitioner
Versus
State of Maharashtra and Ors. ...Respondents

Mr. Aarif Ali M. Ali, for the Petitioner.

Mr. A. S. Patil, A.P.P for the Respondent – State.

***CORAM : REVATI MOHITE DERE &
SHYAM C. CHANDAK, JJ.***

DATE : 12th JUNE 2024

P.C. :

1. Heard learned counsel for the parties.
2. By this petition, the petitioner essentially seeks an enquiry/action against the erring officers, pursuant to the petitioner's complaint dated 6th January 2023. The said complaint letter is at Exhibit 'E' page 566 of the petition.
3. Learned APP raises a preliminary objection. He submits that the petitioner ought to have approached the District/State Police

Complaint Authority for redressal of his grievance i.e. for action against the erring police officers and not by filing the aforesaid petition.

4. In view of the preliminary objection raised by the learned APP, learned counsel for the petitioner seeks leave to withdraw this petition with liberty to file an appropriate petition/complaint/application before the District/State Police Complaint Authority, as maintainable in law.

5. Petition is accordingly disposed of as withdrawn with liberty as prayed.

6. We make it clear that we have not gone into the merits of the petition as well as the petitioner's complaint dated 6th January 2023 and as such all contentions of all parties are kept open.

SHYAM C. CHANDAK, J.

REVATI MOHITE DERE, J.