



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.138 OF 2024

Anup s/o Ramawtar Goyal

..vs..

Port Police Station, Kakinada and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Shaym Dewani, Advocate for the petitioner (through V.C.)
a/w Shri Sahil Dewani, Advocate for the petitioner.
Shri Doifode, Addl.P.P. for the State.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 08/02/2024.

Heard.

2. By this petition, the petitioner seeks to quash the First Information Report bearing Crime No.18 of 2024 registered with the Kakinada Port Police Station, District Kakinada, State Andhra Pradesh.

3. It is the petitioner's case that the petitioner has already filed a complaint of extortion against the respondents on 22.12.2023, which is under investigation. The petitioner's serious allegation against the respondents is about extortion.

4. According to the petitioner in order to retaliate or to give counter check to the said complaint, respondents have filed false report with the Police of Kakinada Port Police Station, Andhra Pradesh. It is submitted that the said police report has sheer misuse of the process of the Court.

5. The petitioner would submit that this Court can entertain the petition in view of the decision of the

Supreme Court in case of *Navinchandra N. Majithia vs. State of Maharashtra and ors. (2000) 7 SCC 640*.

6. Issue notice to the respondents, returnable on 28.02.2024. Learned Addl.P.P. waives notice on behalf of respondent no.3 /State.

7. The petitioner to satisfy on jurisdiction.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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