IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3034 OF 2025

Zamir Ali Khan ... Petitioner.
V/s.
The State of Maharashtra and ors. ... Respondent.

Mr.Ashish Dubey for the Petitioner.
Ms.Mankuwar M. Deshmukh, Acting P.P. ;with Mr.Ajay S. Patil, A.P.P. for the Respondent- State.

SANJAY KASHINATH NANOSKAR
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Date: 2025.12.26 17:28:42 +0530

CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE, JJ.
DATE : 19th DECEMBER 2025.

P.C.:-

1) By this Petition under Article 226 of the Constitution of India, Petitioner is seeking Writ Order or direction to register FIR in pursuance of complaint dated 29th April 2024 registered with Agripada Police Station, Mumbai of which cognizance is not taken by the concerned police Authority.

2) It is the settled position of law and as has been reiterated by the Hon'ble Supreme Court in the case of *M.Subramaniam and another v. S. Janaki and another* reported in *(2020) 16 SCC 728* that the Petition under Article 226 of the Constitution of India for lodgment of crime is not

maintainable. However, the Petitioner is having remedy of filing a private complaint before the jurisdictional Magistrate.

3) In view thereof, learned Advocate for the Petitioner seeks leave to withdraw Petition with liberty to file private complaint before the jurisdictional Magistrate, on the basis of his complaint dated 29th April 2024.

3.1) Leave and liberty granted.

4) Disposed off as withdrawn, with aforesaid liberty.

(RANJITSINHA RAJA BHONSALE, J.) (A.S. GADKARI, J.)