

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

Cri.Writ Petition No.600 of 2025

Dr Prerana Rajendra Aher @ Prerana
Tukaram Patil
Age about 36 years, Occ.Doctor,
R/at 59, Shivram Nagar, Basmat Road,
Bhind Agrawal Mangal Karyalaya,
Parbhani.

2. Dr Pravin Tukaram Patil
Age about 42 years, Occ.Radiologist,
R/at. C/o. Prerana Tukaram Patil,
59, Shivram Nagar, Basmat Road,
Bhind Agrawal Mangal Karyalaya,
Parbhani. ... Petitioners/Accused.

Vs.

1. The State of Maharashtra
Through PSO Panchvati Nashik... Respondent No.1.

2. Dr Rajendra Bahusaheb Aher,
Age about 42 years, Occ: Doctor,
R/at. 8, Sayali Heights A, Radha
Nagar, Makhmalabad Road,
Nashik. ... Respondent No.2/
Original Complainant

Mr Jaydeep Deo for the petitioners.
Mr Yogesh Y Dabke, APP for the respondent/State.
None for respondent No.2.

Coram : R.N.Laddha, J.
Date : 23 January 2025.

P.C. :

Heard learned Counsel appearing on behalf of the petitioners.

2. The petitioners in this petition are arraigned as accused in a private complaint filed by respondent No.2. The complaint led to the issuance of process for an offence punishable under Section 500 of the Indian Penal Code.

3. It is a well-established principle of law that the Court should exercise its inherent jurisdiction sparingly. Specifically, when the petitioners have an alternative and efficacious remedy to challenge the issuance of process order before the Sessions Court, this Court should refrain from entertaining the writ jurisdiction. However, if the revision before the Sessions Court fails, the petitioners are not barred from approaching this Court under its writ jurisdiction.

4. In the light of the above, this Court is not inclined to invoke the writ jurisdiction. Accordingly, the petition stands dismissed but liberty is granted to the petitioners to file

appropriate proceedings before the Sessions Court. Furthermore, the petitioners may seek condonation of delay, if any.

5. It is made clear that this Court has not examined the merits of the matters and all contentions of the parties are kept open.

[R. N. Laddha,J.]