



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2873 OF 2024

Vishnu L Chaudhari & Anr.

.....Petitioners

Vs.

The State of Maharashtra & Anr.

.....Respondents

Mr. Suresh Mali with Mr. Dushyant Pagare, Mr. Nikitesh Kotangale, i/b. Mr. Amar Gharte, for the Petitioners.

Mr. K. V. Saste, Addl. P.P., for the Respondent Nos.1 & 2-State.

Mr. Hitesh D. Magar, for Respondent Nos.4 to 10.

Mr. Sambhaji Mane, PSI, Kalyan Taluka Police Station is present.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 29th JANUARY 2025

P.C.:-

1. By this Petition, the Petitioners essentially seek a direction to the Respondent-police to register an F.I.R. on the basis of the Petitioners' complaint dated 14th November 2022.

2. Mr. Saste, learned Additional Public Prosecutor, on instructions, states that police after conducting a preliminary enquiry have come to the conclusion that the dispute is civil in nature and have accordingly filed the said complaint. He states that the said decision also has been communicated to the Petitioners.

3. In view of the aforesaid statement made by the learned APP, nothing survives for further consideration in the Petition.

4. The Petition is accordingly disposed of.

5. Needless to state, that we have not gone into the merits of the Petitioners' complaint or the decision taken by the police and as such, all contentions of all the parties on merits are kept open.

6. Needless to also state, that it is now open for the Petitioners to adopt an appropriate remedy as may be permissible in law before the appropriate Forum/Court.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)