

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 981 OF 2024

Vijay Jagmohandas Engineer & Anr. ... Applicants

V/s.

The State of Maharashtra ... Respondent

Dr. Uday Warunjikar i/b. M/s. Sonali R. Chavan, for the Applicants

Mrs. P.P. Shinde, Addl. P.P. for the Respondent-State.

PI Sushilkumar Gaikwad, Amboli Police Station, present.

CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.

DATE : 16th SEPTEMBER 2025.

P.C. :-

1. By this application, Applicants seek the following reliefs

:-

- a) This Hon'ble Court be please to call for record and proceeding with respect to the complaint dated 09.11.2023 made to the Respondent and after going through the same be pleased direct the respondent to register the offence and FIR under Section 403, 418, 420, 465, 468 and 471 of Indian Penal Code, 1860 by exercising power under section 482 of the Criminal Procedure Code, 1973.
- b) Any other relief, as deemed fit and proper may please be granted in favour of the applicant herein.

2. The dispute in hand pertains to a partnership firm. Mr. Warunjikar states that, the Applicants had approached the Senior Police Inspector, M.R.A. Marg Police Station to register an F.I.R., vide complaint dated 9th November 2023. Mr. Warunjikar further states that on 8th July 2024 the applicant's complaint was disposed of by the police by stating that the dispute is a family dispute and it is also a civil dispute, despite a cognizable offence being

disclosed. Since the police have after conducting an inquiry closed the complaint, observing that the dispute is a civil dispute, we are not inclined to entertain the petition.

3. The Applicants will now have to adopt an appropriate remedy as permissible in law, in view of the judgment of the Apex Court in *Sakiri Vasu reported in 2007 (8) SCC 226.*

4. Accordingly, we dispose of the application keeping all the contentions of the Applicants on merits open.

5. Application is disposed of accordingly.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)