

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.4549 OF 2024
IN
CRIMINAL WRIT PETITION (STAMP) NO.7453 OF 2024***

Rohidas Gangadhar Deokar ...Applicant
Versus
The State of Maharashtra and Ors. ...Respondents

Mr. Narayan G. Rokade a/w Mr. Siddharth Ghodke, Mr. Abhang Suryawanshi and Mr. Harishchandra Jadhav, for the Applicant/Petitioner.

Mr. V. B. Konde-Deshmukh, Addl.P.P. for the Respondent-State.

**CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.**

DATE : 6th JANUARY 2025

P.C. :

1. By this application, the applicant seeks a direction to the respondent No.2. to act on the applicant's complaint dated 23rd February 2024 and to comply with the order dated 27th June 2024.
2. On 27th June 2024, the following order was passed by this Court (Coram: Revati Mohite Dere & Shyam C. Chandak, JJ.) in

the aforesaid writ petition : -

“ 1) By this petition, the petitioner seeks a direction to the Respondent No.3 to lodge an FIR with the Respondent No.2-Ale phata Police Station, on the basis of petitioner’s complaint dated 23rd February 2024.

2) Learned APP has tendered a report dated 13th April 2024, of the Police Inspector attached to Ale-Phata Police Station, Tal. Junnar, Dist.Pune. The Photocopy of the said report is taken on record. From the said report it appears that the Police after considering the petitioner’s complaint have filed the said report, since the dispute is of a Civil nature. He submits that the said decision will be communicated to the petitioner within two weeks from today. Statement accepted.

3) Considering that the petitioner’s complaint has been filed as stated aforesaid, nothing survives for further consideration in the petition, petition is accordingly disposed of.

4) Needless to state, it is open for the petitioner to adopt appropriate remedy as maintainable in law.

5) We make it clear, that we have not gone into the petitioner’s complaint on merits and as such all contentions, of all the parties are kept open.”

3. The grievance of the applicant in the aforesaid interim application is that the applicant has not been communicated the decision taken on the applicant ’s complaint.

4. Mr. Konde-Deshmukh, learned Additional Public Prosecutor on instructions states that the decision was communicated to the applicant vide letter dated 13th April 2024 by Speed Post. Learned Additional Public Prosecutor has produced a photocopy of the Speed Post receipt evidencing the same. Learned counsel for the applicant states that the said communication has not been received by the applicant.

5. Be that as it may, Mr. Konde-Deshmukh, learned Additional Public Prosecutor has re-served a copy of the letter evidencing the decision taken on the applicant's complaint dated 23rd February 2024, on the learned counsel for the applicant, today during the course of the hearing of the aforesaid application.

6. In view of the aforesaid, nothing survives for further consideration in this application. The application stands disposed of accordingly.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.