

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

**Criminal Writ Petition No. 1308 of 2025**

Dr. Dinesh Shantilal Patel

Age 75 years, Occupation : Service,

R/at.: Chhaya North South

Road No.5, 67 Swastik Society,

Juhu Parle Dev. Scheme,

Bombay – 400 056.

... Petitioner

versus

1. The State of Maharashtra

2. M/s Okara Roadways (Regd.)

Through its authorized officer

Mr Sayaji Sawant Having its

Registered office at Okara

House, Plot No. 101,

Sector 19-C, Vashi,

Navi Mumbai – 400 705.

... Respondents

----

Mr Gopalkrishna Shenoy a/w Mr Pawan Mali, for the  
Petitioner.

Mr Swapnil S Pednekar, APP, for the Respondent / State.

----

**Coram: R.N. Laddha, J.**

**Date: 10 March 2025**

**P.C.:**

. Not on board. Taken on board.

2. Heard learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor representing the respondent / State.

2. The petitioner in this case is arraigned as an accused No.2 in a private complaint bearing CC No.2800108/SW/2019, pending before the Metropolitan Magistrate, 28<sup>th</sup> Court, Esplanade, Mumbai. The complaint led to the issuance of process for offences punishable under Sections 418, 419, 420, 426, 465 and 468 read with 34 of the Indian Penal Code.

3. The well established legal principle dictates that inherent jurisdiction / writ jurisdiction should be exercised sparingly. This is particularly relevant when the applicant has option to challenge the issuance of a process order through the alternate and effective remedy such as filing revision before the Sessions Court. However, it is important to note that if the revision fails, the applicant is not barred from approaching this Court again for further relief. This ensures that the petitioner has multiple avenues for redress and can seek justice through the appropriate legal channels.

4. Given the aforementioned circumstances, this Court is not inclined to exercise its writ jurisdiction. The application is

dismissed accordingly, however, the applicant is granted liberty to file appropriate proceedings before the Sessions Court. The applicant may seek condonation of any delay, if necessary, ensuring that all procedural requirements are met for a continued pursuit of justice. It is made clear that this Court has not examined the merits of the matter and all contentions of the parties are left open.

**(R.N. Laddha, J.)**