

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 1580 OF 2025**

Bhushan Baldev Khatri

... Petitioner

V/s.

The State of Maharashtra

... Respondent

Ms. Minal Chandnan a/w Mr. Rajesh Ranglani for the Petitioner.
Mr. Vinod Chate, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
 RANJITSINHA RAJA BHONSALE, JJ.**
DATE : 17th NOVEMBER, 2025

P.C. :

1) This Petition under Article 226 of the Constitution of India, is for lodgment of crime on the basis of complaint dated 26th January, 2025, submitted by the Petitioner with Ulhasnagar Police Station, District Thane, of which cognizance has not been taken by the concerned Police Authorities.

2) It is the settled position of law and as has been reiterated by the Hon'ble Supreme Court in the case of *M.Subramaniam & Anr. Vs. S. Janaki & Anr reported in (2020) 16 SCC 728*, Petition under Article 226 of the Constitution of India for lodgment of crime is not maintainable, however the Petitioner is having remedy of filing a private complaint before the jurisdictional Magistrate.

3) In view thereof, learned Advocate for the Petitioner, on instructions seeks leave to withdraw Petition with liberty to file a private complaint before the jurisdictional Magistrate, on the basis of his complaint dated 26th January, 2025.

3.1) Leave and liberty granted.

4) Disposed off as withdrawn with aforesaid liberty.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)