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

CRIMINAL WRIT PETITION NO. 4402 OF 2025

ANAND
SUDHAKAR
SUDAME

Nikhil Sharad Diwadkar

.. Petitioner

Versus

Digitally signed
by ANAND
SUDHAKAR
SUDAME

Union of India & anr.

.. Respondents

Date:
2025.08.25
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Mr. Madhukar Dalvi a/w. Ms. Nishtha Malik, Ms. Sonali Kochar and
Ms Bijal Soni i/b. NAS Legal Advocates, Advocates, for the Petitioner
Mr. S. S. Halwasia a/w. Mr. Keshav Thakur, Advocates, for Respondent
Nos. 1 & 2
Mr. V. B. Konde – Deshmukh, APP, for the Respondent – State

**CORAM : RAVINDRA V. GHUGE
&
GAUTAM A. ANKHAD, JJ.**

DATE : 14th AUGUST, 2025

P. C.

1. We have considered the case put forth by the Petitioner. The learned Advocate appearing on behalf of Respondent Nos. 1 & 2, rightly points out Section 212 of the Companies Act, 2013 which indicates that the Central Government has to form an opinion that it is necessary to investigate into a company's affairs by the Serious Fraud Investigation Office (SFIO). No such complaint has been lodged with the Central Government.

2. The learned Advocate for the Petitioner seeks leave to withdraw this Petition on instructions so that the Petitioner can move a complaint before the appropriate authority for seeking direction for investigation into the affairs of the Company, complained against.

3. In view of the above, **this Petition is disposed off as withdrawn** on instructions, with liberty to follow the procedure as is prescribed in law and address the complaint to the Central Government or even to the Registrar of the Companies who can forward the complaint to the Central Government. Withdrawal of this complaint would not be an impediment.

4. All contentions of the parties are kept open considering that an FIR No. 1122 of 2022, dated 8th September, 2022 is registered with the Khar Police Station.

[GAUTAM A. ANKHAD, J.]

[RAVINDRA V. GHUGE, J.]