

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

CRIMINAL WRIT PETITION NO.4702 OF 2025

Sameer Maheshbhai Shah

.. Petitioner

Vs.

The State of Maharashtra,

Through Home Department and Ors.

.. Respondents

Mr. Parmeshwar Pandey, i/by Mr. Dilip Shukla, Advocates for the Petitioner.

Mr. K.V. Saste, Additional Public Prosecutor for the Respondents.

**CORAM : SHREE CHANDRASHEKHAR, C.J. &
GAUTAM A. ANKHAD, J.**

DATE : 15TH SEPTEMBER 2025.

P.C. :

Seeking a direction to the Senior Inspector at Malad Nagar Police Station, Mumbai to register a First Information Report for commission of offence under sections 308(5), 351(4) and 356 of the Bharatiya Nyaya Sanhita, 2023 and for a further direction to 2nd respondent–Senior Inspector at Malad Nagar Police Station to conduct an impartial investigation, the petitioner who claims that he had a business transaction with Mr. Bharat Bhatia has filed this writ petition invoking Article 226 of the Constitution of India read with section 528 of the Bharatiya Nyaya Sanhita, 2023.

2. In paragraph no.5(c) of this writ petition, the petitioner states that the accused nos.4 and 5 have filed a false complaint against him with the Crime Branch, Mira–Bhayander making allegations of cheating against him. It further appears that the petitioner has also lodged a First Information Report bearing No.225 of 2025 on 21st May 2025 alleging commission of offence

punishable under sections 54, 296(b) and 351(4) of the Bharatiya Nyaya Sanhita, 2023.

3. In view of the aforesaid complaint/First Information Report lodged by the petitioner against the alleged accused persons, no direction can be issued by this Court at this stage except to the extent that 2nd respondent–Senior Inspector at Malad Nagar Police Station shall examine the matter in an impartial manner and record statement of the witnesses and of the petitioner, if he so desires.

4. Writ Petition No.4702 of 2025 is disposed of with the aforesaid directions to 2nd respondent–Senior Inspector at Malad Nagar Police Station, Malad, Mumbai.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]