

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 5745 OF 2025**

Shobha Bhimrao Buddivant

... Petitioner

V/s.

The State of Maharashtra & Ors

... Respondents

Mr. Nitin Satpute a/w Mr. Rachit Singh, Mr. Abhishek Bandekar, Mr. Dayanand Ubale, Mr. Sandeep Mane for the Petitioner.

Ms. Mankuwar M. Deshmukh, Acting.PP a/w Mr. Ashish I. Satpute, A.PP for Respondent No.1-State.

Mr. Kuldeep Patil a/w Ms. Saili Dhuru for the Respondent No.6-C.B.I.

Mr. Vishal Thakur, DCP a/w Mr. Prashant Raje, A.C.P, Mr. Laxmikant Salunkhe, Mr. Dilip Tejankar, PI., Mr. Vishal Rajel, PI., Mr. Jayendra Kandate, P.S.I. all attached to Crime Branch, Mumbai.

**CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE, JJ.**
DATE : 11th 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 1st November 2025, allegedly submitted by the Advocate for the Petitioner, with Powai Police Station, Mumbai and to other Authorities, of which cognizance has not been taken by the concerned Authorities.

2) It is by now 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, that, 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 on the basis of the complaint dated 1st November 2025, submitted by her Advocate before the jurisdictional Magistrate, if and as may be permissible in law.

3.1) Leave and liberty granted.

4) Disposed off as withdrawn with aforesaid liberty.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)