

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 5787 OF 2025**

Anwar Hussain Thim

... Petitioner

V/s.

State of Maharashtra & Ors.

... Respondents

Mr. Himanshu Vinod Kode a/w Ms. Jahnavi S. Karnik, Mr. Alok Velenkar for
Petitioner.

Mr. Amit A. Palkar, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
 RANJITSINHA RAJA BHONSALE, JJ.**

DATE : 13th November 2025

P.C. :

1) This Petition under Article 226 of the Constitution of India, is for lodgment of crime on the basis of complaints dated 20th May 2025 and 9th September 2025, submitted by the Petitioner with the Deputy Commissioner of Police, EOW, Thane City, of which cognizance has not been taken by the concerned Police 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, by reserving the remedy in favour of the Petitioner to lodge a private complaint before the jurisdictional Magistrate, on the basis of his complaints dated 20th May 2025 and 9th September 2025, Petition is disposed off.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)