

JVS.

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

WRIT PETITION NO. 501 OF 2025

Partha Sarathy Sarkar	}	Petitioner
Versus		
Union of India & Ors.	}	Respondents

Mr. Partha S. Sarkar, Petitioner In-Person.

Ms. Manisha Jagtap, Advocate for Respondent No. 1.

Mr. Kuldeep Patil with Mr. Anay Joshi, Ms. Sanika Joshi, Mr. Sumitkumar Nimbalkar, Mr. Digvijay Kachare and Mr. Sahil Jodhwani, Advocate for Respondent No. 4-CBI.

Mr. Manan Sanghavi, Advocate for Respondent No. 5.

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

DATE: 27th MARCH 2026

P.C.:

The petitioner in-person who is an Advocate by profession has made a prayer for a direction to the respondent no. 1 to file a complaint with the fourth respondent-Central Bureau of Investigation (in short, CBI) for registration of a First Information Report so that the investigation can be carried out into the offences committed by certain persons.

2. Mr. Manan Sanghavi, the learned counsel for the respondent no. 5 states that a similar petition was filed by one Rajendra Haribhau Dhanawade vide Criminal Writ Petition (St.) No. 23457 of 2023 which was disposed of by an order dated 20th September 2024 with liberty to the said person to file appropriate proceedings before the appropriate Forum/Court. The petitioner was present before the Court, when the said order was passed.

3. Mr. Partha S. Sarkar, the petitioner appearing in-person states that he does not dispute the order dated 20th September

2024 in Criminal Writ Petition (St.) No. 23457 of 2023 but, according to him, the situation is a quite different here. He was duly appointed as Resolution Professional vide Registration No.IBBI/IPA-002/IP-N00239/2017-2018/10690 and he has personal knowledge and information regarding certain persons.

4. On such facts we are not inclined to entertain this writ petition seeking a direction for registration of the First Information Report and investigation by the CBI. The petitioner himself has stated about the proceedings before different Forums. The submission made by the petitioner that such Forums shall not have the jurisdiction to make an inquiry in the matter does not appear to be in consonance with the powers of the National Company Law Tribunal and the National Company Law Appellate Tribunal. Moreover, writ petition like this based on certain information possessed by a person cannot be entertained for issuing a direction for registration of a First Information Report. There are parties to the litigation who did not decide to lodge the First Information Report. Therefore, at the instance of the petitioner claiming that he has personal knowledge and information, the machinery of criminal justice system cannot be put in motion. This is one thing to say that locus of a private individual is alien to the criminal justice system and any person can move the Court. However, that proposition, in our opinion, primarily pertains to providing information to the law enforcement agency which, upon due inquiry and investigation, may take a decision to lodge or not to lodge a First Information Report.

5. In view of the aforesaid, Criminal Writ Petition No. 501 of 2025 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]