



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4416 OF 2026**

Hemant Ramrao Bhojane	...	Petitioner
versus		
Parsen Foundation and Engineering Corporation and Ors.	...	Respondents

Mr. Hemant R. Bhojne, Petitioner in person present.

CORAM: N.J.JAMADAR, J.

DATE : 20 APRIL 2026

P.C.

1. Heard the Petitioner in person.
2. The challenge in this Petition is to an order dated 22 July 2025 passed by the District Consumer Disputes Redressal Commission, declining to initiate an action under Section 340 of the Code of Criminal Procedure, 1973, purportedly on the ground that, in the affidavit in reply filed on behalf of the Respondents, a false statement was made that the Petitioner is not a member of the co-operative housing Society.
3. Even if the submissions of the Petitioner are taken at par, the issue as to whether the Respondents have made a false statement on oath, would be a matter to be decided at the stage of final adjudication of the complaint. Even otherwise, an action under Section 340 of the Code, can be initiated when the Court finds it expedient in the interest of justice to initiate such an action. It is not that every incorrect statement warrants an action for perjury.

4. A useful reference in this context can be made to the judgment of the Supreme Court in the case of **Pritish V/s. State of Maharashtra and Ors.**¹ and another Constitution Bench Judgment in the case of **Iqbal Singh Marwah & Anr. v/s. Meenakshi Marwah & Anr.**²
5. Thus, the Writ Petition stands disposed.
6. However, the District Consumer Disputes Redressal Commission shall decide the complaint, as expeditiously as possible, on its own merits and accordance with law, without being influenced by any of the observations in the impugned order as well as this order.
7. The Commission may also delve into the claim of the Petitioner that the Respondents have made a deliberate false statement on oath, with regard to the Petitioner's membership of the Respondent – Society.

(N.J.JAMADAR, J.)

1 (2002) 1 SCC 253

2 (2005) 4 SCC 370