

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 109 OF 2026**

Durg Vijay Sharma s/o Sewalal Sharma ...Petitioner
Versus
State of Maharashtra & Anr ...Respondents

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Mr. Iqbal Shaikh, with Mr. Muzakkir Khan, i/b Ms Rutuja Gholap, Advocates for the the Petitioner.
Mr. K.V. Saste, Additional Public Prosecutor, for the Respondent Nos. 1 and 2-State.

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**CORAM: SHREE CHANDRASHEKHAR, CJ &
SUMAN SHYAM, J.**

DATE: 19th JANUARY 2026

PC:-

This writ petition seeks an independent and impartial inquiry by the CID, Crime Branch or any other Special Investigating Agency. The petitioner aged about 42 years claims that he is in service and seeks initiation of the disciplinary proceedings against the respondent nos. 3 to 9. He is also seeking a direction to the State government and the Deputy Commissioner of Police to take legal action against the erring officers and submit an action taken report before this Court.

2. The learned counsel for the petitioner submits that the petitioner narrated several incidents and he

approached numerous times the police authorities but a First Information Report for commission of cognizable offence was not lodged. On the other hand, a report for non-cognizable offence has been lodged on 7th October 2023. NCR dated 7th October 2023 refers to the commission of offence under sections 323, 504 and 506 of the Indian Penal Code. The learned counsel for the petitioner further submits that pursuant to the order dated 8th September 2025 passed by the Hon'ble Supreme Court in Writ Petition (Criminal) No. 347 of 2025, the petitioner has filed this writ petition.

3. Having regard to the nature of grievances raised on behalf of the petitioner, we are not inclined to entertain this writ petition with such wide prayers. As to the registration of a First Information Report, there is no challenge to the NCR dated 7th October 2023. Secondly, the petitioner has an opportunity and remedy in law of filing a complaint case in the Court of the jurisdictional Magistrate. So far as initiation of the departmental proceeding and legal action against the respondent nos. 3 to 9 is concerned, such prayers cannot be granted on mere allegation against the respondent nos. 3 to 9 for their negligence, dereliction of duties etc.

4. Writ Petition No. 109 of 2026 is dismissed.

(SUMAN SHYAM, J)

(CHIEF JUSTICE)