

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1914 OF 2026

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Shreemotanka Tenants CHS Ltd.

....Petitioner

Versus

The State of Maharashtra & Ors.

....Respondents

Mr. Anil S. Kamble a/w. Mr. Sushil C. Matkar, for the Petitioner.

Mr. Ajay Patil, APP for the Respondent – State.

Mr. Inamdar, PSI, Kalachowky Police Station, Mumbai.

CORAM : RAVINDRA V. GHUGE

&

HITEN S. VENEGAVKAR, JJ.

DATE : 20th APRIL, 2026

P.C.:

1. We have heard the learned Advocate for the Petitioner.

2. The Petitioner should actually approach the appropriate Court under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'), which has an inbuilt mechanism to inquire into the matter and in an appropriate case, issue directions for registration of an FIR.

3. In view of the above, the learned Advocate for the Petitioner submits on instructions that the Petitioner would withdraw this Petition and avail of the statutory remedy.

4. Considering the above, **this Petition is disposed off** as withdrawn, on instructions.

5. Needless to state, the withdrawal of this Petition would not be an impediment and all the contentions of the Petitioner as well as the stakeholders in the proceeding under Section 175(3) of the BNSS, are kept open to be considered on their own merits by the concerned Magistrate/Court.

6. Insofar as the civil reliefs are concerned, we have not expressed any opinion.

(HITEN S. VENEGAVKAR, J.)

(RAVINDRA V. GHUGE, J.)