

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 81 OF 2026**

Rajesh Suresh Shirke ...Appellant

Versus

Ganesh Suresh Shirke ...Respondent

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Mr. Chetan Varunkar, Advocate for the Applicant (argued the matter).

Mr. Imran Mubarak Shaikh, with Mr. Jaazib Waheed Aziz, Dr. Sana Siddiquee, Ms. Shagufta Sikandar Shaikh and Mr. Dastagir Bashir Shaikh, on board Advocates for the Applicant.

Mr. J. P. Yagnik, Assistant Public Prosecutor, for the Respondent No. 3.

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

DATE: 23rd JANUARY 2026

PC:-

The applicant is seeking a direction for registration of a First Information Report on the basis of a complaint filed by him. This application has been filed under section 482 of the Code of Criminal Procedure, 1973 and corresponding section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. At the outset, we are inclined to observe that the jurisdiction of this Court under section 482 of the Code of Criminal Procedure, 1973 and corresponding section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 can be invoked seeking a direction for registration of a First Information Report in a very exceptional kind of case. An aggrieved party has a remedy in law to approach the Senior Police Officer and file the complaint before the jurisdictional Magistrate who may take cognizance of the matter after being satisfied on the allegations of the commission of a cognizable offence.

3. In view thereof, we are not inclined to entertain this Criminal Application.

4. Criminal Application No. 81 of 2026 is disposed of without entering into the merits of the matter and with a liberty to the applicant to avail the alternative remedy as available to him in law.

(SUMAN SHYAM, J)

(CHIEF JUSTICE)