

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

CRIMINAL WRIT PETITION NO. 4940 OF 2022

Omkar Buyer Association,
Through President Yashwant Gomaji
Ramteke And Other Members Of
Association, And Ors.

.... Petitioners

Versus

The State Of Maharashtra And Ors.

.... Respondents

Mr. Aseem Naphade, Mr. Niranjana Bhavake, Mr. Amit Karle i/b
Bhavake And Associate Advocates, for the Petitioners.

Mr. V. B. Konde-Deshmukh, A.P.P for the Respondent – State.

Mr. Aabad Ponda, Senior Counsel a/w Mr. Vishal Makhwana i/b
M/s. Diamondwala & Co., for the Respondent Nos. 5 to 9.

Mr. Atul Adurkar, A.P.I., EOW, Housing-2 Unit, Mumbai, present.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.***

DATE : 25th JANUARY 2024

P.C. :

1. By this petition, the petitioner seeks the following
substantive reliefs –

- a. *By a suitable Writ in the nature of Mandamus or any other Writ, Order of direction, this Hon'ble Court may pleased issue directions and / or order and against the Respondent Nos.1 to 4 to take appropriate action (reopen complaint filed by petitioner 'Exh-A' complaint dated 16/03/2021 which is temporary closed by Respondent Nos. 3 and 4 'Letter Exh-Z' without assigning any proper reason.) against Respondent Nos.5 to 14 as per Documents submitted by Petitioners.*

- b. *By a suitable Writ in the nature of Mandamus or any other Writ, Order or direction, this Hon'ble Court may pleased issue directions and / or order and against the Respondent Nos. 1 to 4 to complete investigation on complaint filed by petitioner and after completing investigation take appropriate action (File F.I.R.) against Respondent Nos.5 to 14.*

- c. *Be please direct Respondent Nos.1 to 4 to submit a report of Investigation before this Hon'ble Court in time bound manner and take appropriate action against Respondent Nos. 5 to 14.*

2. On the last date, learned A.P.P. sought time to take instructions, having regard to the grievance made by the learned Counsel for the petitioner, that the complaint filed by the petitioner, could not have been temporarily closed, by the respondent Nos.3 and 4, without assigning any reason.

3. Today, learned A.P.P. on instructions of Mr. Atul Adurkar, A.P.I., EOW, Housing-2 Unit, Mumbai, states that the complaint will be reopened, and that appropriate steps in respect of the said complaint will be taken. Statement accepted.

4. Stand over to 7th March, 2024.

5. Learned A.P.P. to inform the Court on the next date, the steps taken after reopening of the complaint.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.