

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1436 OF 2022

Majid Anwar Khan ...Petitioner
vs.
The State of Maharashtra ...Respondent

Ms. Anjali Patil a/w. Aashay Topiwala i/b. Abdeali Kothawala, for
the Petitioner
Ms. Anamika Malhotra, APP for the State.

VISHAL
SUBHASH
PAREKAR

CORAM : N. J. JAMADAR, J.

DATE : MAY 06, 2022

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VISHAL SUBHASH
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Date: 2022.05.06
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P.C.:

1. Heard the learned counsel for the petitioner and learned APP for the State.
2. The petitioner has invoked the writ jurisdiction of this Court being aggrieved by a notice dated 25th March, 2022 issued by the Special Executive Magistrate and Assistant Commissioner of Police, Dongri, Mumbai, purportedly under section 122(1)(b) and 446 of the Code of Criminal Procedure, 1973.
3. Since the challenge primarily appeared to be to a notice, the learned APP was directed to take instructions as to whether the said communication dated 25th March, 2022 is treated as a notice or a direction to deposit of Rs. 5 lakhs, which the tenor of the penultimate paragraph of the said communication apparently indicated.

4. Learned APP, on instructions of respondent No. 2, submits that the respondents treat the said communication dated 25th March, 2022 as a 'show cause notice' only.
5. In view of the aforesaid statement, the petition stands disposed of.

(N. J. JAMADAR, J.)