

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4410 OF 2024
WITH
INTERIM APPLICATION (ST) NO. 22293 OF 2024

Subhash Shankarrao Jadhavar .. Petitioner/Applicant

Versus

The State Of Maharashtra And Anr. .. Respondents

...

Mr. D. S. Mhaispurkar a/w Mr. Hrishikesh Pawaskar, for the
Petitioner.

Mr. S. V. Gavand, A.P.P. for the State/Respondent No.1.

Mr. Y. D. Patil a/w Mr. M. Y. Dongare, for the Respondent No.2.

...

CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 22nd OCTOBER, 2024

P.C:-

1. When the Petition was listed before us on 16.10.2024, we were informed by the learned A.P.P. that the investigation in the subject C.R., in which the Petitioner is arraigned as an accused is complete, however the charge-sheet is not yet filed.

Mr. Gavand, made a statement before us that he will instruct not to file the charge-sheet, whilst he wanted to

obtain necessary instructions and we directed the Petition to be listed on 22.10.2024.

2. Today, when the matter is listed, we are informed that the Investigating Officer has already filed charge-sheet on 19.10.2024 and Mr. Gavand has placed before us the transcript of WhatsApp chat with the Investigating Officer. We have noted that the officer was specifically instructed not to file charge-sheet against the present Petitioner though it was open for him to file charge-sheet against other accused persons, since the apprehension was they would have sought their release by claiming default bail.

3. In any case, the situation as of today is that the charge-sheet is filed.

The learned counsel for the Petitioner seek leave to amend the Petition to place on record the charge-sheet and we grant him said permission.

Let the necessary amendment, which may include necessary pleadings alongwith the prayer clause, being carried out within a period of two weeks from today, with liberty to place the charge-sheet on record.

4. As regards the Respondent No.2, the original complainant, is represented by the learned counsel Mr. Patil, who seek some time to obtain necessary instructions and we permit him to file his affidavit-in-reply, if deem it necessary.

5. Directing that no further coercive steps shall be

taken till the next date of hearing, so that we can either consider grant of interim relief if we find merit in the contention advanced on behalf of the Petitioner or we may proceed the Petition finally, re-notify to 18.11.2024.

carry out necessary amendment

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)