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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CRIMINAL WRIT PETITION NO. 1544 OF 2019

SHAIKH ARBAZ SHAIKH RAHIM

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL WRIT PETITION NO. 1548 OF 2019

SHAIKH SHADAB SHAIKH RAFIQUE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL WRIT PETITION NO. 1543 OF 2019

SHAIKH JUNAID SHAIKH AYYUB

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL WRIT PETITION NO. 1545 OF 2019

MOSIN KHAN TAHER KHAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL WRIT PETITION NO. 1546 OF 2019

SHAIKH FAYYAZ SHAIKH AHMED

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL WRIT PETITION NO. 1547 OF 2019

JUNAID KHAN ANWAR KHAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Mr. Shaikh Tarek Mobin H., Advocate for the petitioner.
Mrs. U.S. Bhosale, APP for the respondent/State.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 11 DECEMBER, 2025

PER COURT :

1. The petitioners are challenging the order dated 07.12.2018 passed by the learned Sessions Judge, Aurangabad in criminal revision applications, wherein the revisions preferred by the petitioners were dismissed. In the said revision applications, the petitioners have challenged the order dated 07.12.2018 passed by the learned Special Executive Magistrate, Aurangabad in Chapter Cases filed against the petitioners respectively. The order dated 07.12.2018 is passed by the Special Executive Magistrate, Aurangabad thereby directing the petitioners to execute bonds of good behaviour. Since the said order was assailed by the petitioners before the Revisional Court, therefore they have not executed the said bond.

2. The learned Advocate for the petitioners has taken this Court through the provisions u/s 110 and 116 of the Cr.P.C. He has

also invited attention of this Court to the fact that as per sub section 6 of Section 116, the enquiry has to be completed within a period of 6 months from the date of its commencement. He further submits that even if the said enquiry is conducted, the said enquiry is not completed till date.

3. Since the matters pertaining to the year 2019, now due to passage of time, these matter could have been disposed of or rendered infructuous. However, the record before this Court discloses that the directions dated 07.12.2018 issued by the Special Executive Magistrate are on the basis of framing wrong points. The said Executive Magistrate, while passing the impugned order, has not applied its mind. Therefore, the impugned orders even otherwise are not passed in accordance with Law.

4. In view of the above terms, these petitions are disposed of. R & P be sent to the concerned Court immediately.

(SUSHIL M. GHODESWAR, J.)