

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CRIMINAL APPELLATE JURISDICTION

**WRIT PETITION NO. 4626 OF 2025**

Appasaheb Mallinath Patil

... Petitioner

**Versus**

The State of Maharashtra

... Respondent

*Mr. Meghdeep Milind Oak for the Petitioner.*  
*Mr. A. A. Naik, APP for the Respondent-State.*

**Coram :** M. S. Karnik &  
Ajit B. Kadethankar, JJ.

**Date : December 18, 2025.**

**P. C. :**

1. Learned APP submitted that the notice challenged at Exhibit 'A' (page 13 of the Petition) is merely a notice calling upon the Petitioner to appear and cooperate with the investigation.
2. Learned Counsel for the Petitioner submitted that the said notice is not in conformity with Section 41A of the Code of Criminal Procedure, 1973, and apprehended that if the Petitioner appears before the Police Sub-Inspector, Pandharpur Taluka Police Station, he may be arrested. Learned Counsel for the Petitioner, however, submitted that no FIR has been registered till date.

**3.** Our attention was invited by the learned APP to the order dated 14<sup>th</sup> October, 2025 passed by this Court in Anticipatory Bail Application No. 2392 of 2025, which came to be disposed of as withdrawn. It was further submitted by the learned APP that the Anticipatory Bail Application has been rejected by the Trial Court, observing that the work of investigation would be hampered if Anticipatory Bail was granted to the Petitioner.

**4.** Learned APP, on instructions, submitted that the Respondents were willing to issue a notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023. Considering the aforesaid submissions, that the Respondents will issue a notice under Section 41A of the Code of Criminal Procedure, 1973, before taking any further steps, the Writ Petition stands disposed of.

**[ Ajit B. Kadethankar, J. ]**

**[ M. S. Karnik, J. ]**