

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION. 4549 OF 2025

|                                     |     |             |
|-------------------------------------|-----|-------------|
| A. B. C.                            | ... | Petitioner  |
| Versus                              |     |             |
| The State Of Maharashtra And Others | ... | Respondents |

HARISH  
VITHAL  
CHAUDHARI

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Mr. N. D. Joshi for the Petitioner.  
Mr. Hrishikesh S. Shinde for Respondent No. 3  
Mr. A. S. Shalgaonkar, APP for the State.  
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CORAM : SHIVKUMAR DIGE, J.

DATE : 7<sup>th</sup> NOVEMBER, 2025

PC.:

1. Leave to file vakalatnama on behalf of Respondent No. 3.
2. The challenge in this Petition is the impugned order passed by the Additional Sessions Judge, Solapur in Crime No. 665 of 2025 dated 27<sup>th</sup> October, 2025 thereby rejecting the police custody of the Respondent Nos. 3 to 5.
3. It is contention of learned counsel for the Petitioner that the prosecution had filed an application for further police custody of the Respondent Nos. 3 to 5 but the learned Sessions Judge, Solapur has not considered the said application and

remanded judicial custody to Respondent Nos. 3 to 5. Learned counsel for Petitioner further submits that the petitioner is not pressing for prayer clause (a) to (c) of the Writ Petition.

4. It is contention of learned APP that appropriate order be passed.

5. Learned counsel for Respondent No. 3 submits that the inquiry of the Respondent Nos. 3 to 5 should be made in the present of their advocates.

6. I have heard all the learned counsel. Perused the impugned order and documents produced on record.

7. It appears from the record that the investigating officer had sought four days police custody of the Respondent Nos. 3 to 5 on various grounds. While passing the order, the learned Sessions Judge, Solapur has not considered the application filed by the prosecution for police custody. It appears from grounds mentioned in remand application for police custody that the said custody is needed and, I pass the following order.

### **ORDER**

I. Writ Petition is allowed.

II. The impugned order dated 27<sup>th</sup> October, 2025 passed in Crime No. 665 of 2025 by the learned

Sessions Judge, Solapur rejecting the police custody of Respondent Nos. 3 to 5 is hereby quashed and set aside.

III. Respondent Nos. 3 to 5 are remanded in police custody of 3 days from today.

8. Writ petition is disposed off.

**[SHIVKUMAR DIGE, J.]**