

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANAND
SUDHAKAR
SUDAME

WRIT PETITION NO. 2686 OF 2024

Mrs. Priyanka Vijay Gwalani & ors.

.Petitioners

Versus

Digitally signed
by ANAND
SUDHAKAR
SUDAME

Vijay Inderlal Gwalani & anr.

.Respondents

Date: 2025.07.16
18:45:56 +0530

Mr. Shyam Dewani (Through VC) a/w. Mr. Dashang Doshi i/b.
Dewani Associates, Advocates, for the Petitioners

Mr. Ghanshyam Mishra a/w. Ms. Ekta Bhalerao, Advocates, for
Respondent No. 1

Mr. H. J. Dedhia, APP, for Respondent No. 2 - State

CORAM : S. M. MODAK, J.

DATE : 16.07.2025

P. C.

1. The matter was mentioned yesterday. That is how an urgent circulation is granted today.

2. However, Mr. Dewani, learned Advocate for the Petitioners is held up before the Nagpur Bench.

3. I heard Mr. Mishra, learned Advocate for Respondent No. 1. In fact, it will be pre-mature to entertain the Petition. It is for the reason that the Revisional Court has not allowed the Revision Application. It was remanded back to the trial Court for conducting an enquiry under Section 202 of the Code of Criminal Procedure,

1973 (for short “**Cr.P.C.**”). Yet enquiry is not conducted and further Order is not passed.

4. At this stage, Mr. Dewani, learned Advocate for the Petitioners has joined on Video Conferencing. It is submitted that if the Complaint itself is not maintainable, there cannot be any enquiry under Section 202 of the Cr. P. C.. He wants to place reliance on some of the Judgments. Let its copies be supplied to other side.

5. Stand over to **17.07.2025**.

(S. M. MODAK, J.)