

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.5618 OF 2024

SATISH
RAMCHANDRA
SANGAR

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SATISH RAMCHANDRA
SANGAR

Date: 2025.08.22
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Dilip Prabhakar Kudalkar and Anr.

...Petitioners

V/s.

Bharat Chandulal Mehta and Anr.

...Respondents

Mr.Mahesh Joshi a/w Mr.Prashant Mulye and Ms.Mukta Shanbhag:-	Advocates for Petitioners.
Ms.Sangita E. Phad:-	APP for Respondent No.2-State.

CORAM : S. M. MODAK, J.

DATE : 21st AUGUST 2025

P. C. :-

1. Heard learned Advocate for the Petitioners / Accused.
2. A private complaint is lodged against them in the year 2002 for the offences under Sections 406, 420 read with 34 of the Indian Penal Code, 1860 ("IPC"). The case is pending for more than 23 years and yet the trial Court has not reached to the conclusion to frame a charge. The grievance is if there is an inordinate delay in completing the trial, the proceeding needs to be quashed. The second submission is there is no element of criminality and in fact, the civil suit filed by the Complainant got dismissed.

3. Considering the stage of case, I am not inclined to entertain this Petition. It is for the reason, first discharge Application was rejected and when the Accused filed a Revision Application, this was partly allowed and the matter was remanded to the trial Court for fresh consideration. It is as per the order dated 8th January 2024. It is told after the remand, the learned Magistrate has again refused to discharge the Applicants. In such a situation, best option available to the Petitioners is to move before the Revisional Court that is the City Civil Court – Greater Mumbai. Liberty granted to move that Court. **The Petition is disposed of.** No observation on merits.
4. If there is delay, it be condoned. All the contentions are kept open.

[S. M. MODAK, J.]