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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3294 OF 2025**

Talha Abbas Mukhi & Anr.

...Petitioners

V/s.

The State of Maharashtra & Anr.

...Respondents

Mr. Sudeep Pasbola, Senior Advocate a/w. Mr.Sankalp Vichare, Mr. Jay Suryavanshi, Mr. Ramprasad Deore i/b. Mr.Rahul Arote for Petitioners.

Mr. Yogesh M. Nakhwa, A.P.P. for Respondent No. 1 – State.

Mr.Sanvidhan R. Chaure, PSI, Naigaon Police Station, Mira Bhayandar Vasai Virar present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 26th JUNE, 2025

PC.:-

- 1) Issue notice to Respondent No.2, returnable on 14th August, 2025.
- 2) Learned Advocate for Petitioners is directed to supply spare copies of Petition in the Registry within a period of two weeks from today, failing which the Petition shall stand dismissed without further reference to this Court.
- 3) Perusal of FIR *prima facie* indicates that, Application of Section

109(1) of Bharatiya Nyaya Sanhita, 2023, to the present crime, is not warranted.

4) Till the returnable date, the investigation of the crime to continue, however, the Investigating Agency shall not file charge-sheet without leave of this Court.

5) Stand over to 14th August, 2025.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)