

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.3827 OF 2025

Sanjay Jayantilal Jain

...Petitioner

Versus

The State of Maharashtra

...Respondent

Mr. Ashok Kumar Dubey a/w Mr. Anil Pandey i/b SAVJ Law Solutions, for the Petitioner.

Mr. K. C. Shinde, APP for the Respondent-State.

Mr. Gopal Lavane, API, EOW, Mumbai, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 17th JULY 2025

P.C.:

1. Learned Counsel appearing for the Petitioner, at the outset, states that there is some ambiguity in the prayer which has been made in Application bearing Miscellaneous Application No.5040 of 2023 and therefore, seeks withdrawal of the said Miscellaneous Application.

2. Accordingly, leave is granted to withdraw Miscellaneous Application No.5040 of 2023. As said Miscellaneous Application is withdrawn, the order dated 13th January, 2025, passed by the learned Additional Chief Metropolitan Magistrate, 47th Court, Esplanade, Mumbai passed below Exhibit-1 in C.C. No.5040/Misc./2023 is quashed and set aside.

3. The Applicant is granted leave to file fresh Miscellaneous Application specifying the modification which is required in condition No.4 of order dated 8th December, 2020 passed by the learned

Additional Chief Metropolitan Magistrate, 47th Court, Esplanade, Mumbai in B.A.No.213/BA/2020. If such fresh Application is filed, the concerned Judge to decide the same in accordance with law.

4. Accordingly, the Criminal Writ Petition is disposed of in above terms.

5. It is clarified that this Court has not considered the merits and all contentions on merits are expressly kept open.

[MADHAV J. JAMDAR, J.]