

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

WRIT PETITION NO. 3978 OF 2025

Mohammad Jubair Siddiq @
Mohammad Jubair Siddiq Memon. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

**WITH
WRIT PETITION NO. 5733 OF 2025**

Moiz Mohd Mubin Shaikh. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Mr.Abhishek Kulkarni with Mr.Sagar Wakare and R.S.Pere
for the Petitioners.
Mr.Amit A. Palkar, A.P.P for the Respondent- State.
Ms.Vaishali Sawant for Respondent No.11 (in WP-3978/25).
Mr.Musa Devarshi, PSI, Malvani Police Station is present.

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**CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE, JJ.**
DATE : 3rd DECEMBER 2025.

PC.:-

1) Learned A.P.P on instructions from Mr.Devarshi, PSI attached to Malvani Police Station, Mumbai, submitted that, on 15th May 2025 itself section 118(2) of BNS corresponding to section 326 of I.P.C. has been added to C.R.No.581/2025. He, on instructions further submitted that, investigation of crime is on the verge of completion and within one week

from today the Investigating Agency will submit chargesheet before the jurisdictional Magistrate. The said statement is accepted.

2) Perusal of the record and in particular medical certificates suggest that, section 118(2) is in fact applicable to the crime in question. After perusing the record, we are of the view that there is no need to transfer the investigation of C.R.No.581 of 2025 registered with Malwani Police Station, Mumbai.

3) In view of addition of the said section to the crime, the grievance of the Petitioners has been worked out. The other prayers are consequential in nature and we do not see any reason to further entertain the Petition.

3.1) Both the Petitions are accordingly disposed off.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)