

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.4094 OF 2025

Sachin Mohan Kawale

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

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Mr. Prajit S. Manjrekar, for the Petitioner.

Ms. P. P. Bhosale, APP, for the Respondent-State.

Mr. Rajas Naik, for Respondent Nos.2 and 3.

CORAM: MADHAV J. JAMDAR, J.

DATED: 28 JULY 2025

P.C.:

1. Heard Mr. Manjrekar, learned Counsel appearing for the Petitioner and Mr. Naik, learned Counsel appearing for Respondent Nos.2 and 3.

2. As arguable questions are raised, **Rule.**

3. As far as the interim relief is concerned, admittedly the Respondent No.2 is having 50% share in the Flat No.101, 'A' Wing, First Floor, Siddheshwar Park, Kharigaon, Kalwa, Thane. By the impugned Order the direction has been issued to handover the possession of said flat.

4. Apart from that, although Mr. Manjrekar, learned Counsel for the Petitioner submitted that the said flat is required for residence of the

mother of the Petitioner and the Petitioner is staying along with the mother in the said flat, however Mr. Naik, learned Counsel for Respondent Nos.2 and 3 points out a registered gift deed dated 20th September 2019 by which the present Petitioner has gifted another flat in the same building to his brother. He further states that the Petitioner is having number of flats in the same building.

5. Accordingly, no case is made out for granting any interim relief.

[MADHAV J. JAMDAR, J.]