

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4735 OF 2025

ANAND
SUDHAKAR
SUDAME

Aayush Jitesh Jain

.Petitioner

Vs.

The State of Maharashtra & anr.

.Respondents

Digitally signed
by ANAND
SUDHAKAR
SUDAME

Mr. Aadil Parsurampuriah a/w. Mr. Prashant Parsurampuriah, Advocates,
for the Petitioner

Mr. Tanveer Khan, APP, for the Respondent - State

Date:
2025.09.10
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CORAM : N. R. BORKAR, J.

DATE : 09.09.2025

P. C.

1. This Petition takes exception to the Order dated 26.08.2025 passed by the learned 28th Judicial Magistrate First Class, Esplanade, Bombay.

2. The Petitioner herein is the First Informant in C. R. No. 745 of 2025 registered with the L. T. Marg Police Station, Mumbai for the offences punishable under Sections 316(4) and 318(4) of the Bhartiya Nyaya Sanhita, 2023 (“BNS”).

3. The Respondent, who is Accused in the said crime filed an Application for bail before the learned Magistrate. The Petitioner sought his impleadment in the said Bail Application. By the Order impugned, learned Magistrate permitted the Petitioner to assist the APP.

4. Learned Counsel for the Petitioner submits that the learned Magistrate erred in not allowing the Application filed by the First Informant for impleadment. It is submitted that the First Informant has independent right to be heard. In support of his submissions, he placed reliance on the decision of the Hon'ble Supreme Court in the case of *Jagjeet Singh and others vs. Ashish Mishra alias Monu and another*, reported in *(2022) 9 SCC 321*.

5. It appears that the Petitioner has already filed written notes of argument and the learned Magistrate has taken the said written notes on record. It appears that the learned Magistrate has heard the Bail Application & posted for Order today. In that view of the matter, I am not inclined to entertain the present Petition.

6. The Petition is dismissed.

(N. R. BORKAR, J.)