

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4872 OF 2025

Sharad Murlidhar Agrawal And Anr. ...Petitioners

Versus

The State Of Maharashtra And Anr. ...Respondents

SANTOSH
SUBHASH
KULKARNI

Digitally signed by
SANTOSH SUBHASH
KULKARNI
Date: 2025.09.18
11:04:52 +0530

Mr. Surel Shah, Senior Advocate, a/w Pavan Patil, Shubham
Saraf and Tanmay Deshmukh, for the Petitioners.

Mr. Prasanna Malshe, APP for the State.

Sr. PI Shailesh Salvi, Anti Extortion Cell, Crime Branch,
Thane.

CORAM: N. J. JAMADAR, J.

DATED: 17th SEPTEMBER, 2025

Oral Order:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 3rd September, 2025 passed by the learned Sessions Judge in Criminal Revision Application No.101 of 2025, whereby the learned Sessions Judge directed the learned Judicial Magistrate, First Class, to decide the remand application afresh.
3. Mr. Shah, the learned Senior Advocate for the petitioners, on instructions, submits that, the petitioners have since been remanded to judicial custody and the

petitioners have preferred an application for bail. Mr. Shah expressed an apprehension that, the observations in the impugned order may influence the decision on the bail application. Therefore, the learned Magistrate may be requested to decide the application uninfluenced by the observations in the impugned order.

4. Evidently, the observations were made by the learned Sessions Judge while considering the legality of the order passed by the learned Magistrate on the remand application dated 21st August, 2025. In view of the subsequent developments, the learned Magistrate is expected to decide the bail application on its own merits and in accordance with law. It is necessary to note that, the learned Sessions Judge was cautious enough to provide in the impugned order itself that the remand application dated 21st August, 2025 shall be decided afresh without being influenced by the observations made in the said order. That being the case, the learned Magistrate is requested to decide the bail application on its own merits and in accordance with law without being influenced by the observations in the impugned order.

5. The petition stands disposed.

[N. J. JAMADAR, J.]