

Arun Sankpal

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5797 OF 2025**

Ashitosh S Pandey

..Petitioner

Versus

The State of Maharashtra and Anr

...Respondents

Mr. Shyam Dewani (through VC), for the Petitioner.

Smt. R. S. Tendulkar, APP, for the Respondent-State.

Mr. Mahesh Sawant, PSI, Goregaon Police Station.

CORAM: N. J. JAMADAR, J.

DATE : 13th NOVEMBER 2025

ORDER:

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order of initiation of prosecution at the instance of the Respondent No.2 for the commission of offences punishable under Sections 406 and 409 of the Indian Penal Code, 1860.
3. The Petitioner has preferred a discharge application before the learned Magistrate. It is the grievance of the Petitioner that the Discharge Application has not been heard.

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4. In the Petition there is an alternate prayer that the learned Magistrate be directed to hear and decide the Discharge Application expeditiously.
5. Since the Petitioner has already filed a Discharge Application, it may be expedient in the interest of justice that the said Application be heard and decided by the learned Magistrate as expeditiously as possible.
6. The Court is informed that Criminal Case No. PW/3745 of 2019 is listed before the learned Magistrate on 20th December 2025.
7. Let the Petitioner appear in person or through his Advocate, before the learned Magistrate on the scheduled date.
8. The learned Magistrate is requested to hear and decide the Discharge Application as expeditiously as possible and preferably within a period of three months from the scheduled date.
9. Petition disposed.

[N. J. JAMADAR, J.]