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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.5886 OF 2025

Manisha Hiraman Shinde	.. Petitioner
Versus	
State of Maharashtra	.. Respondent

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Mr.Narayan G. Rokade with Ramchandra Wagh for the petitioner.
Mr.S.R. Agarkar, APP for the State/Respondent.
PSI Pravin Satkale from Saikheda police station, present.

CORAM: BHARATI DANGRE &
SHYAM C. CHANDAK, JJ.
DATE : 02nd DECEMBER, 2025

P.C:-

1 In compliance with the directions issued on 18/11/2025, Mr. Agarkar, learned APP has tendered an affidavit affirmed by Assistant Police Inspector attached to Saikheda police station, Nashik.

 The said affidavit specifically deal with the contention advanced on behalf of the petitioner that her arrest was effected after sunset and therefore, it violates Section 43 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, which prohibit effecting an arrest of a woman after sunset.

The affidavit categorically make a reference to the entry in the Station Diary as regards the arrest of the petitioner and her husband vide Station Entry Diary No. 23/2025 dated 5/6/2025 at 19.00 hours.

2 The Station diary entry is also annexed along with the affidavit, where it is to be noted that it is categorically stated that on the knowledge being gained about an offence being committed by the suspects, after informing them the grounds of arrest and the reasons for arrest were communicated to them. An arrest panchnama was also thereafter prepared and a note to that effect was taken in the Register. The accused were also subjected to pre-arrest medical examination. The station diary at 17.00 hours categorically record that since one of the accused was a woman, by following the procedure prescribed, her arrest has been effected before sunset.

In view of the specific statement made in the affidavit with the station diary entry taken at 19.00 hours, on 5/6/2025, being placed therewith, as well as the Arrest Memo, which also record the time of arrest as 19.00 hours, we do not find any merit in the contention of the petition and the same is dismissed.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)