

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

Criminal Application No.571 of 2025

Amarlal Ramrakhiani and others ... Applicants  
V/s.  
Dnyaneshwar Sabale and others ... Respondents.

|                                                                                                         |                              |
|---------------------------------------------------------------------------------------------------------|------------------------------|
| Mr. Amarlal Ramrakhiani, in-person for himself and Applicant Nos.2 and 3.and Advocate Vaibhav P. Shinde | Advocate for the Applicants. |
| Mr. Ashok S. Gawai                                                                                      | APP for the State.           |

**CORAM : S.M. MODAK, J**

DATE : 4<sup>th</sup> September 2025.

P.C. :

Mentioned out of turn.

2. One of the issue raised in this petition is about non-compliance of proviso to Section-223 of B.N.S.S. On this background, learned Advocate for Respondent No.5-Complainant made submission that they are ready to go before the learned Magistrate for recording the verification. Even the Petitioner is not happy with the said submission because he contends that the Magistrate is not having jurisdiction. He wants to rely upon some judgment.

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SUNIL  
PANJWANI

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3. Let copy of the compilation be given to learned Advocate for Respondent No.5.

4. Stand over to **10<sup>th</sup> October 2025**.

5. Now the matter is fixed before the trial Court on 11<sup>th</sup> September 2025. Let the Complainant to take adjournment from the trial Court.

**(S.M. MODAK, J.)**