

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.4023 OF 2025

Shakuntala Narhari Nimje & Ors.

.... Petitioners

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Ms. Chaitrali Deshmukh, Advocate for Petitioners.
- Ms. Sangeeta D. Shinde, APP for the State/Respondent.
- Mr. Sunil M. Kelkar, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 20th SEPTEMBER, 2025

P.C. :

1. Learned APP pointed out that in this case cognizance is taken by the learned Magistrate. In view of this statement, learned counsel for the Petitioner submitted that she will have to challenge the order of taking cognizance. She seeks leave to amend for the following purpose :

- (i) To annex a copy of the order taking cognizance of the offence.
- (ii) To add the prayer for challenging the order of taking cognizance.

- (iii) To add relevant grounds in that behalf.
 - (iv) To delete the reference to article 226 of the Constitution of India from the cause title.
- 2. Leave to amend for that purpose is granted.
- 3. Amendment shall be carried out within a period of three weeks from today. Once the amendment is carried out, it will no longer remain a Writ Petition. Therefore, the office shall permit the learned counsel for the Petitioner to take steps to convert this Writ Petition into a suitable Criminal Application.
- 4. After it is so converted, the matter would lie before a Single Judge Bench of this Court in view of the order passed on 09/09/2025 passed in Criminal Writ Petition No.2056 of 2025 and the order dated 11/09/2025 passed in Criminal Writ Petition No.3901 of 2021. The office to place the matter before an appropriate Single Judge Bench.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)