

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

CRIMINAL APPLICATION NO. 1201 OF 2025

Dipesh Lakshman Bhagtani ...Applicant
Versus
The State of Maharashtra and anr. ...Respondents

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Mr. Sahil Mahajan, a/w Saurabh Godbole and Siddhi Patil, for
the Applicant.
Mr. K. C. Shinde, APP for the State.
Mr. P. Desai, for Respondent No.2.

CORAM: N. J. JAMADAR, J.
DATED: 27th NOVEMBER, 2025

Oral Order:-

1. Heard the learned Counsel for the applicant.
2. The challenge in this petition is to an order dated 13th October, 2025, passed by the learned Magistrate, 58th Court, Bandra, Mumbai, whereby the applicant, who is accused No.3 in Summons Case No.116/SS/2018 has been directed to furnish the address of Lakshman Bhagtani, the co-accused. In the event of default, the Court has recorded that, the Court would be constrained to pass necessary orders may be going to the extent of cancellation of Passport and issuing warrant through Embassy.
3. Evidently, proclamation has been ordered to be issued against accused Nos.2, 4 and 5.

4. The applicant it seems is the only accused who is appearing before the learned Magistrate. The learned Magistrate was of the view that the applicant, being a member of the family of Lakshman Bagtani (A2), must have the address of the co-accused, who are absconding. On that premise, the impugned order seems to have been passed.

5. The expectation of the learned Magistrate that the applicant may have the address of the absconding co-accused, who are the father, mother and brother, cannot be stated to be completely misplaced. However, in the event of the failure on the part of the applicant to furnish the address, no coercive action can be taken against the applicant.

6. The application, thus, stands disposed with a direction that the applicant shall file an affidavit, before the learned Magistrate, with regard to his knowledge about the whereabouts of accused Nos.2, 4 and 5, within a period of one week from today.

7. However, no coercive action be taken against the applicant for failure to disclose the correct address of accused Nos.2, 4 and 5.

[N. J. JAMADAR, J.]