

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

**INTERIM APPLICATION NO. 1246 OF 2025
IN
CRIMINAL WRIT PETITION NO. 1347 OF 2023**

The State of Maharashtra ...Applicant
Versus
Shyamsundar Radhyesham Agarwal and Anr. ...Respondent

**WITH
CRIMINAL WRIT PETITION NO. 1347 OF 2023**

Mr. Mihir Desai, Senior Counsel a/w Mr. Pavan Patil, Mr. Nitin Jagtap, Mr. Shubham Saraf, Mr. Shubhankar Kulkarni, Mr. Kartavya Ostwal and Mr. Dewang Mhatre, for the Petitioner in Cri. Writ Petition No. 1347 of 2023.

Mr. Ajay S. Patil, APP, for the Respondent-State in Cri. Writ Petition No. 1347 of 2023 and for the Applicant in Interim Application No. 1246 of 2025.

**CORAM : SARANG V. KOTWAL &
S.M.MODAK, JJ.**

DATE : 16th APRIL 2025

P.C. :

1. This Interim Application is filed in Criminal Writ Petition No.1347 of 2023. The prayer in this application is for

REKHA
PRAKASH
PATIL

Digitally signed by
REKHA PRAKASH
PATIL
Date: 2025.04.17
17:46:42 +0530

Rekha Patil

1 of 4

permission to the Investigating Agency to file the charge-sheet in C.R. No. 80 of 2021 registered with Juhu Police Station and subsequently transferred to CID, Kokan Bhavan, Navi Mumbai. This application is necessary because a Division Bench of this Court vide an order dated 12th April, 2023 had made observations in paragraph 3 of the said order, which reads as follows;

“3. However, considering the facts and circumstances of both the cases, we are of the view that it would be in the interest of justice, while granting further time in the matter, that the Investigating Officer does not make any haste in taking any coercive action against the petitioner in Writ Petition No.1347 of 2023 in respect of Crime No.80 of 2021 registered at Juhu Police Station, Mumbai, which is transferred to DCB CID, Mumbai, keeping in view the pendency of Writ Petition No.1347 of 2023 before this Court, till the appropriate decision is taken by the Hon’ble the Chief Justice. We, however, direct the petitioner to co-operate with the Investigating Officer and to appear before the Investigating Officer as and when called.”

2. Learned APP submitted that the investigation is over and the charge-sheet is ready. The learned senior Counsel

appearing for the original petitioner in Criminal Writ Petition No. 1347 of 2023 has no objection for filing of the charge-sheet.

3. Considering that the investigation is over and it would be necessary to consider all the material collected by the Investigating Agency, we permit the Investigating Agency to file the charge-sheet in connection with C.R. No. 80 of 2021 registered at Juhu Police Station.

4. The petitioner is at liberty to amend the original Petition by annexing the charge-sheet or relevant pages from the charge-sheet and also to make consequential amendment in the Petition as early as possible and in any case, before the next date of listing of the Petition.

5. The effect of the observations in para 3 as far as other ad-interim relief is concerned, shall continue till the next date.

6. The Interim Application is disposed of.

7. The main Criminal Writ Petition shall be listed for further consideration **on 2nd July, 2025.**

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)