



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.845 OF 2023

Santosh Madanlal Agrawal and another

.Vs.

State of Maharashtra, thr. PSO, PS Salekasa Dist. Gondia and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr. I.A. Fidvi, Advocate for the petitioners.

Mr. A.B. Badar, APP for respondent Nos.1 to 5/State.

CORAM : ANIL L. PANSARE AND

RAJ D. WAKODE, JJ.

DATED : 17.11.2025.

Learned APP submits that vide order dated 14.12.2023 this Court directed Investigating Officer to file the charge-sheet after obtaining leave of the Court. However, Investigating Officer has already filed charge-sheet.

2. Petitioner has challenged the First Information Report.

3. Learned APP submits that not only charge-sheet was filed but cognizance has also been taken.

4. That being so, remedy under Article 226 of the Constitution of the India will not be available to the petitioner in terms of the judgment of the Supreme Court in the case of *Pradnya Pranjal Kulkarni Vs. State of Maharashtra and another* reported in *2025 SCC OnLine SC 1948*. The petition, however, has been also filed under

Section 482 of the Criminal Procedure Code, 1973 (“Code”). Learned counsel for the petitioner submit that the petitioner would pursue the cause under Section 482 of the Code.

5. The petition shall be accordingly treated as an application under Section 482 of the Code. Registry shall list the application before the appropriate Bench.

[RAJ D. WAKODE, J]

[ANIL L. PANSARE, J.]

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