IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1908 OF 2024

ADV. HARISH SHARAD BHAMBARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....
Petitioner – Party-in-person (virtually)
Mr. A. S. Shinde, APP for Respondent Nos.1 & 6
....

CORAM : SANDIPKUMAR C. MORE &
VAISHALI PATIL-JADHAV, JJ.

RESERVED ON : 27/10/2026
PRONOUNCED ON : 28/10/2026

ORDER : (PER : SANDIPKUMAR C. MORE, J.) :

1. **Rule**. Rule made returnable forthwith. Heard finally at the admission stage with the consent of the petitioner party-in-person as well as the learned APP for the respondent–State.

2. The petitioner has sought following reliefs in this petition:

> "B. Kindly issue writ of certiorari or any other writ, order or direction in the like nature of certiorari, direct to Respondent no. 6 to make a Co-Accused to Respondent 2 to 5 for deliberately not complied the important documents towards respondent no. 6.

C. Kindly issue writ of certiorari or any other writ, order or direction in the like nature of certiorari, direct to respondent no.2 to 5 to make a compliance of remaining document which is demanded by respondent no.6 by letter no. Cyber Pstn/2179/2022 in FIR No.35/2022 filed on 19/05/2022 in Cyber Police Station, Ahmednagar.

3. However, by order dated 27/11/2024, this Court had already expressed its disinclination to grant any relief under prayer clause 'B', whereupon the petitioner, appearing in person, withdrew the said prayer. Accordingly, the present petition is being considered only in respect of prayer clause 'C'.

4. The petitioner, appearing in person, submits that despite registration of the crime, respondent No. 6, who is investigating the said crime, has stated in the communication dated 06/02/2026 that the concerned Bank has not furnished the requisite information despite issuance of a notice under Section 94 of the BNSS. On this basis, the petitioner seeks to implead respondent Nos. 2 to 5, who are the concerned Bank, as accused in the present crime.

5. However, the said prayer is not maintainable. The crime has already been registered on the basis of the petitioner's complaint and pursuant thereto, respondent No. 6 had also informed IndusInd Bank Limited to freeze the account of the concerned account holder, as a certain amount involved in the crime was transferred to the said account. It is pertinent to note that while the police are investigating the crime, no direction can be issued by this Court to array respondent Nos. 2 to 5 as accused. If, during the course of investigation, their involvement is established, the concerned police authorities shall take appropriate steps in accordance with law. Therefore, no direction as sought by the petitioner under prayer clause 'C' can be issued at this stage.

6. In view of the above, we are not inclined to grant any relief to the petitioner. Accordingly, the petition stands dismissed. Rule is discharged.

[VAISHALI PATIL-JADHAV]
JUDGE

[SANDIPKUMAR C. MORE]
JUDGE