



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

956 CRIMINAL WRIT PETITION NO. 1115 OF 2025

Mohammed Abdul Faiz Mohammed IqbalPetitioner

VERSUS

The State of MaharashtraRespondent

Mr. A. V. Patil Indrale, Advocate for the Petitioner.
Mr. M. K. Goyanka, APP for the State.

CORAM : R. M. JOSHI, J.
DATE : 10th JUNE, 2026.

PER COURT :

1. This petition takes exception to the order dated 21.11.2024 passed below Exhibit 118 in RCC No. 524/2017 dismissing the application for discharge filed by the Petitioner/original accused No. 5, confirmed by order dated 11.07.2025 passed by the Additional Sessions Judge -4, Latur in Criminal Revision Application No. 11/2025.

2. Learned counsel for Petitioner submits that the Trial Court was required to record reasons for rejecting the application for discharge. He drew attention of the Court to the order dated 21.11.2024 passed

below Exhibit 118 in RCC No. 524/2017 to argue that there is no reason recorded for rejecting the application. It is his submission that the Revisional Court ought to have taken into consideration the said aspect and the matter was required to be remanded to the Revisional Court. He, therefore, seeks setting aside of both the orders and relegation of application Exhibit 118 to the Trial Court for fresh decision.

3. Learned APP opposed the petition.

4. Needless to say that even the application for discharge needs to be decided by any Court by recording reasons therefor. The impugned order passed by the Trial Court dated 21.11.2024 sans any reason for dismissal of the application. This Court finds substance in the contention of learned counsel for the Petitioner that the Revisional Court ought to have taken into account the said aspect and set aside the order passed by the Trial Court and relegated the matter back for fresh decision.

5. In view of the above, petition stands allowed. Impugned orders are set aside. Application Exhibit 118 filed in RCC No. 524/2017 is

relegated back to the Trial Court for decision afresh in accordance with law.

(R. M. JOSHI, J.)

dyb