



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL WRIT PETITION NO. 338 OF 2026**

**BHAGWAN KACHARUBA SAKSAMUDRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Vaibhav D. Karande h/f
Mr. Paikrao Kapil Dilip

APP for the Respondents/State : Mr. D. J. Patil

...

CORAM : MEHROZ K. PATHAN, J.

DATE : 8th APRIL 2026

PER COURT :

1. Heard for sometime the learned Counsel for the Petitioner as well as the learned APP for the State.
2. The learned Counsel for the Petitioner, Mr. Karande, holding for Mr. Paikrao submits that the witness sought to be examined, namely Dnyaneshwar Satpute, was already cited as a witness but was inadvertently not included in the list of witnesses. The incident took place in front of the shop of Dnyaneshwar Satpute, from which the CCTV footage was seized. This fact was mentioned in the charge-sheet. The list of property presented along with the charge-sheet shows the CCTV footage, and the person from whom the footage was seized is identified as Dnyaneshwar Satpute. He therefore submits that the prosecution has rightly made an application under Section 311 of the Code of Criminal Procedure at the request of the complainant, Petitioner herein, which ought to have been allowed by

the learned trial Court.

3. Taking into consideration the aforesaid submissions, issue notice to the Respondents, returnable on 29.04.2026. Learned APP waives service of notice for Respondents/State.

4. The Petitioner shall serve the Respondent Nos. 2 to 7 through private mode of service, in addition to regular mode of service.

5. In the meanwhile, there shall be interim relief in terms of prayer clause 'C' which reads as under :

(C) Pending hearing and final disposal of this Criminal Writ Petition, the Hon'ble High Court may be pleased to stay to Session Case bearing No. 06 of 2021 pending before the Additional District and Sessions Court, Ambajogai for being adjudicated.

MEHROZ K. PATHAN
JUDGE

NATJEJB..