S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3275 OF 2026

Waman Nadkarni ...Petitioner

VERSUS

The State Of Maharashtra And Ors. ...Respondents

Mr. Swapnil Shanbhag i/b. S.S.Bedekar, Advocate for Petitioner.
Mr. S. S. Pednekar, APP for the Respondent-State.
Mr. Ajay Bhise a/w. Mr. Sandeep Salunkhe, Advocate for Respondent No.3.
Mr. Manoj Gupta, Respondent No.4 present.
Mr. Durgaprasad K. Agarwal, Respondent No.5 present.
Mr. Sunil Parab, PSI, Shivaji Park Police Station, Mumbai, present.

SONALI SATISH KILAJE Digitally signed by SONALI SATISH KILAJE Date: 2026.08.24 11:03:13 +0530

CORAM : SHIVKUMAR DIGE, J.
DATE : 20th AUGUST, 2026.

P.C. :

1. Heard learned counsel for the petitioner, learned APP, learned counsel for respondent No.3, respondent Nos. 4 and 5 in person.

2. By this petition, the petitioner seeks to expedite the Case No. 820/PW/2014 pending before the Additional Chief Metropolitan Magistrate Court, Dadar, Mumbai, in a time bound manner.

3. It is contention of learned counsel for the petitioner that this Court (Coram : Sarang V. Kotwal, J.) by order dated 04.09.2023 expedited the trial. However, despite of the said order, there is no

progress in the matter. The petitioner is a senior citizen who had filed the complaint against the respondents for criminal breach of trust, fraud and forgery. The respondents are prolonging the proceedings therefore requested to expedite the proceedings.

4. It is contention of learned counsel for the respondent No.3 that the petition is not maintainable before this Court as the prayer sought by the petitioner should lie before the Division Bench. Learned counsel further submitted that the discharge application of the respondent No.3 is pending and requested to pass appropriate order.

5. Respondent Nos. 4 and 5 are present in person. They have tendered their Affidavit-in-Reply, which is taken on record. They submit that the proceedings are going on properly before the Metropolitan Magistrate Court.

6. I have heard both the learned counsel and parties appearing in person. It appears that this Court (Coram : Sarang V. Kotwal, J.) had directed the Metropolitan Magistrate Court to expeditiously decide the said matter, which is pending since year 2014. Despite the aforesaid direction of this Court, there is no substantial progress in the matter. It is a matter of serious concern that, despite the specific directions issued by this Court, the matter has not progressed. Considering this fact, I pass following order :

S.S.Kilaje

ORDER

(i) The Petition is partly allowed.

(ii) Learned 5th Metropolitan Magistrate Court, Dadar, Mumbai, shall decide the pending Case No. 820/PW/2014 as early as possible, preferably within one year after receipt of this order.

7. Writ Petition is disposed of.

(SHIVKUMAR DIGE, J.)