

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 31 OF 2026

Mukund Dalal & Anr.

... Petitioners.

V/s.

Official Liquidator & Ors.

... Respondents.

Ms. Vyoma Joshi, Mr. Karan Kadam (through V.C.) a/w. Prerana Wagh i/b Crawford Bayley Co., Advocate for Petitioners.

Ms. Pallavi Dabholkar, APP for Respondent/State.

Mr. Anirudh Hariani, Advocate for Respondent No. 1.

Ms. Sanika Joshi i/b. Mr. Kuldeep Patil, Advocate for Respondent No. 2.

Mr. Anil Bhaguse, Deputy Official Liquidator.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th JANUARY, 2026.

P.C. :

1. Heard Ms. Vyoma Joshi, learned Advocate for the Petitioners, Mr. Anirudh Hariani, learned Advocate for Respondent No. 1, Ms. Sanika Joshi, learned Advocate for Respondent No. 2 and Ms. Pallavi Dabholkar, learned APP for State.

2. By the present Petition, the Petitioners have sought for the following relief :

- “(i) Admit the present Writ Petition;
(ii) Pass an order directing the Ld. Court of Addl. Metropolitan Magistrate, 3rd Court, Esplanade Mumbai or any In charge court seized of Misc Case No. 0303487 of 2024 to hear and dispose of the same, in a time bound manner in 1 month or such period as this Hon'ble Court may deem fit.
ii) Costs of this Petition;”*

3. Subject matter of the present Petition pertains to the FIR bearing No. RC0262021A0003, registered on 20th February, 2021.

4. Ms. Vyoma Joshi, learned Advocate for the Petitioners submits that on 28th February 2022, the Respondent No. 2 after investigation submitted Closure Report (“First Closure Report”). Protest Petition filed by the Respondent No. 1 challenging the First Closure Report, was allowed on 4th September, 2023, directing further Investigation. She submits that upon further Investigation, Respondent No. 2 submitted a Closure Report on 26th August, 2024 (“Second Closure Report”). She submits that the Respondent No. 1 has once again filed a Protest Petition (at page nos. 287 to 305 of

the Petition Paper book), against the Second Closure Report. She submits that said Protest Petition is pending till date. She submits that the status / reasons for the pendency of the said Protest Petition is referred to in the chart at paragraph no. 2.1 (dd) of this petition (at page 18 and 19 of the paper book). She submits that the Respondent No.2 upon investigation / further investigation, has found no case against the Petitioners, thus filed Closure report. She submits that grave prejudice is occasioned to the Petitioner on account of the delay in disposal of the Protest Petition filed by the Respondent No.1.

5. Mr. Anirudha Hariyani, learned Advocate for the Respondent No. 1 does not dispute the status of the proceedings as referred by the Petitioners in the chart at paragraph no. 2.1 (dd) of this petition. He fairly states that the Respondent No.1 is also interested in early disposal of the pending Protest Petition against the Second Closure Report.

6. Considering the peculiar facts and circumstances of the present case, this is a fit case for requesting the Additional

Metropolitan Magistrate, 3rd Court, Esplanade, Mumbai, to make an endeavour to dispose of the pending Protest Petition filed by the Respondent No. 1 in accordance with law, expeditiously and at any rate within a period of 2 months from the date this order is placed before the Additional Metropolitan Magistrate, 3rd Court, Esplanade, Mumbai.

7. Ms. Vyoma Joshi undertakes to produce copy of this order before the Additional Metropolitan Magistrate, 3rd Court, Esplanade, Mumbai within a period of 10 days from today.

8. With the above directions, this Petition is partly allowed.

9. There shall be no order as to costs..

(ASHWIN D. BHOBE, J.)