

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.73 OF 2026

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Dashrath Nandkumar Shinde ... Petitioner.

V/s.

The State of Maharashtra & Ors. ... Respondents.

Mr. Niraj Bhatiya i/b. MKS Legal Associates, Advocate for the
Petitioner.

Ms. Pallavi Dabholkar, APP for State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 14th JANUARY, 2026.

P.C. :

1) By the present Petition, the Petitioner is seeking substantive
reliefs in terms of prayer clauses (b) and (c) which read thus:

(b) That this Hon'ble Court be pleased to issue an appropriate writ, order or direction under Article 226 and/or 227 of the Constitution of India and Section 482 of the Code of Criminal Procedure, 1973 (corresponding to Section 582 of the Bharatiya Nagarik Suraksha Sanhita, 2013), thereby to quash and set aside the impugned order dated 19.11.2025 passed by the Hon'ble Additional Sessions Judge, City Civil & Sessions Court, Dindoshi, Borivali Division, Mumbai in Criminal Revision Application No.

242 of 2025, whereby the operation of the order issuing process dated 24.04.2025 in C.C. No. 430/SW/2022 has been stayed.

(c) That this Hon'ble Court be pleased to direct that the order dated 24.04.025 passed by the Learned Judicial Magistrate First Class, 17th Court, Borivali, Mumbai issuing process under Section 406 read with Section 34 of the IPC (corresponding provisions under BNS Act, 2023) against Respondent Nos. 2 to 6 be restored and allowed to operate forthwith, without being affected by the impugned stay order.

2) Ms. Pallavi Dabholkar, learned APP for the State submits the order impugned is dated 19th November, 2025, by which the Learned Sessions Court, Dindoshi has granted ad-interim relief in the Criminal Revision Application No. 242 of 2025 after hearing the parties to the said revision application. She submits that the revision application is pending before the Learned Sessions Court. She submits that the impugned order being an interim order, pending disposal of the revision, no interference is warranted.

3) Mr. Niraj Bhatiya, learned Advocate for the Petitioner, on instructions from the Petitioners, craves leave to withdraw the Petition with liberty to pursue the Criminal Revision Application No. 242 of 2025 pending before Sessions Court on its own merits.

4) It is clarified that I have not expressed any view on merits of the matter.

5) Criminal Writ Petition No. 73 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)