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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 382 OF 2026

Gia India Laboratory Pvt. Ltd.
Through Mr. Fredy Hansotia
V/s. ... Petitioner

The State of Maharashtra & Anr. ... Respondents

Mr. Pranav Badeka, Senior Advocate a/w Mr. Dhiraj T., Mr. Akash Manwani & Ms. Isha Patil i/b AZB and Partners, Advocates for the Petitioner.

Mr. Tanveer Khan, APP for the Respondent No. 1 – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 2nd FEBRUARY, 2026.

P.C. :

1. By the present Petition, Petitioner has sought for the following substantive relief in prayer clauses (A) & (C) :-

A. Issue a Writ of Certiorari or any other appropriate writ, order, or direction calling for the records and proceedings of the Impugned Complaint No. 3/SS/2024 filed before Hon'ble Metropolitan Magistrate, 16th Court at Ballard Estate to be produced before this Hon'ble Court;

C. Issue a Writ of Certiorari or any other appropriate writ, order, or direction to quash and set aside the Impugned Order dated April 4, 2024 passed by

Hon'ble Metropolitan Magistrate, 16th Court, Ballard Estate, Mumbai, which directed issuance of process against the Petitioner and its directors;

2. Mr. Tanveer Khan, learned APP for the State raises preliminary objection to the maintainability of the present Petition on the ground that the impugned order is a revisable order. He submits that the Petitioner is required to be relegated to avail the remedy of Revision.

3. Mr. Pranav Badeka, Senior Advocate for the Petitioner on instructions from the Petitioner craves leave to withdraw the present Petition with liberty to file a Criminal Revision Application before the Sessions Court. He submits that such Revision Application will be filed within a period of two weeks from today. He submits that the Petitioner was bonafidely pursuing this proceedings, before this Court, as such he requests that the Sessions Court be directed to consider the request for condonation of delay in filling the proposed Revision, liberally.

4. Mr. Tanveer Khan, learned APP for the State does not object to the said request made by Senior Advocate Mr. Pranav

Badeka.

5. In view of the above, leave granted to withdraw the present Petition with liberty to file Criminal Revision Application under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 before the Sessions Court having jurisdiction. If such Criminal Revision Application along with an Application seeking Condonation of delay is filed within a period of two weeks from today, then the request for condoning the delay in filing the Revision Application be considered liberally.

6. All contentions of the parties are left open.

(ASHWIN D. BHOBE, J.)