

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 5542 OF 2025**

Jitendra Punamchand Maru .. Petitioner
Vs.
The Central Bureau of Investigation
& Ors. .. Respondents

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Mr. Rajendra Desai a/w Mr. Kunal Bhanage i/by Mr. Akshay Pawar,
Advocates for the Petitioner.

Mr. Amit Munde, SPP a/w Mr. Jai Vohra for Respondent No.1-CBI.
Mr. Anil C. Singh, Additional Solicitor General a/w Ms. Neha N. Patil,
AOR a/w Mr. Aditya Thakkar, Mr. Krishnakant Deshmukh, Adarsh
Vyas, Rama Gupta & Mr. Rajdatt Nagre for Respondent No.2-UoI.
Mr. S. V. Gavand, Additional Public Prosecutor for Respondent No.3-
State.

Mr. Harish Salve, Senior Advocate, through V.C., a/w Mr. Vikram
Nankani, Senior Advocate, Mr. Rubin Vakil, Mr. Ashwin Dave, Mr.
Rishit Badiani & Mr. Gaurav Gangal i/by A. S. Dayal & Associates,
Advocates for Respondent No.4.

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**CORAM : SHREE CHANDRASHEKHAR, CJ &
SUMAN SHYAM, J.**

DATE : 23rd MARCH 2026.

P.C. :

On 10th March 2026, we passed the following order:

“Mr. Kunal Bhanage, the learned vice counsel for the petitioner is seeking adjournment on the ground of personal difficulty of Mr. Rajendra Desai.

2. *On 24th February 2026, the learned counsel for the petitioner responding to the objection taken on behalf of Reliance Industries Limited stated that this corporate entity is not required to be heard at this stage in this writ petition as there are judgments of the Hon’ble Supreme Court to this effect. However, the learned counsel for the petitioner was directed to supply a copy of the writ petition to the learned counsels appearing for the parties.*

3. *It is stated at the Bar by Mr. Vikram Nankani, the learned senior counsel that a copy of the writ petition has been served to his assisting counsel and a reply-affidavit has been made ready. Let a copy of the reply-affidavit be served upon the learned vice counsel for the petitioner*

and the learned counsels appearing for the other respondents.

4. *Mr.Kunal Bhanage, the learned vice counsel for the petitioner states that there was a determination by the Delhi High Court in FAO(OS) (COMM) 201/2023 titled “Union of India v. Reliance Industries Limited & Ors.”, a copy of which has ben annexed vide Exhibit-”A” at running page no. 23. Mr.Kunal Bhanage, the learned vice counsel for the petitioner further states that the order passed in FAO(OS) (COMM) 201/2023 has been challenged before the Hon’ble Supreme Court, however, there is not mention about any such proceeding pending before the Hon’ble Supreme Court.*

5. *Having regard to the facts and circumstances in the case, Reliance Industries Limited is added as respondent no.4 in the present proceedings. Necessary amendment be carried out by Mr.Kunal Bhanage, the learned vice counsel for the petitioner with red ink in course of the day.*

6. *Post the matter on 23rd March 2026 to be listed First on Board.”*

2. The petitioner is present in the Court and states that previously he was engaged in the business of sale of plastics. But presently there is no business activity carried out by him. On a Court’s query, Mr.Rajendra Desai, the learned counsel for the petitioner, who is present in the Court, states that all facts stated in this writ petition have been derived from the judgment of the Delhi High Court in FAO(OS) (COMM) 201/2023 tilted “*Union of India v. Reliance Industries Limited & Ors.*”.

3. Except stating that the petitioner has right in law to file a complaint seeking registration of a First Information Report, no argument has been advanced by Mr. Rajendra Desai, the learned counsel for the petitioner.

4. On a further query from the Court why the petitioner waited for about 15 years before approaching this Court with a prayer for registration of a First Information Report, the learned counsel for the petitioner states that only after a judgment was delivered by the Delhi High Court rendering a finding as to fraud played upon

Government of India, the petitioner has approached this Court. Mr. Rajendra Desai, the learned counsel for the petitioner referred to the decision in “*Anju Chaudhary v. State of Uttar Pradesh & Anr.*” (2013) 6 SCC 384 and submitted that the private respondent has no right in law at this stage to be heard by this Court. The learned counsel for the petitioner referred to several paragraphs in “*Anju Chaudhary*” to support this submission. However, on a glance at the decision in “*Anju Chaudhary*”, we gather that the said decision was delivered in a peculiar facts and circumstances in the case. A First Information Report was already lodged and the complaint filed by one Parvez Parwaz under section 156(3) of the Code of Criminal Procedure was rejected by the jurisdictional Magistrate. In paragraph no.35 of the said decision after dwelling upon the powers of the Court to entertain a petition filed under section 156(3) of the Code of Criminal Procedure, the Hon’ble Supreme Court has in no uncertain words indicated that where a complaint has been filed against a particular individual, the High Court is required to hear that person.

5. Mr. Anil C. Singh, the learned Additional Solicitor General states that the petitioner himself had stated in this petition that he filed a private complaint in the District Court at Silvassa which he later on withdrew. Mr. Vikram Nankani, the learned senior counsel for the respondent no.4 submits that filing of this writ petition is an abuse of the process of the Court. The petitioner has approached this Court with a prayer for registration of a First Information Report with an oblique motive.

6. Judgment is reserved.

[SUMAN SHYAM,J.]

[CHIEF JUSTICE]