

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

WRIT PETITION NO. 6713 OF 2025

Vinay Transport

..Petitioner

Versus

Sainath Enterprises Pvt. Ltd. & Ors.

...Respondents

Mr. Sumit Kothari, for Petitioner.

Mr. A. D. Kamkhedkar, APP for the Respondent-State.

CORAM: N. J. JAMADAR, J.

DATE : 29th JANUARY 2026

P.C.:

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 03rd November, 2025, whereby the learned Magistrate has set aside the “No Evidence Order” passed against the accused and another order dated 03rd November, 2025, whereby an application preferred by the petitioner-complainant to release the amount of Rs. 2,00,000/- (Rupees Two Lakhs) deposited by the accused pursuant to the order passed by the High Court, came to be rejected.
3. The principal grievance of the petitioner-complainant is that, the complainant has been lodged in the year, 2007 and yet awaits adjudication.

4. Since, the learned Magistrate has exercised the discretion to allow the accused to lead the evidence with a view to advance the cause of substantive justice and decide the matter on merits, when this Court expressed its disinclination to entertain the petition, the learned Counsel for the petitioner, submits that, the trial in SCC No. 410419/2007 be expedited.

5. As the complaint has been filed in the year, 2007, the prayer for expedite hearing and the conclusion of the trial in SCC No. 410419/2007 appears fully justifiable.

6. The petition thus stands disposed with a request to the learned Magistrate to hear and decide SCC No. 410419/2007 as expeditiously as possible and, preferably, within a period of four months from the next scheduled date in the complaint.

7. The Court is informed that, SCC No. 410419/2007 is scheduled to be listed on 26th February, 2026.

8. The Accused-Respondent nos. 1 and 2 shall lead evidence on 26th February, 2026 without fail.

9. The petition stands disposed.

[N. J. JAMADAR, J.]