

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

CRIMINAL APPLICATION NO. 1517 OF 2025

Nisar Fateh Mohammad Khatri ...Applicant

Versus

The State of Maharashtra ...Respondent

None present for the Applicant.

Mr. Tanveer G. Khan, learned A.P.P. for the State/Respondent.

**CORAM : ASHWIN D. BHOBE, J.
DATE : 20th FEBRUARY 2026.**

P.C. :

1. On 16.02.2026, the following order was made by this Court :-

“1. By the present Petition filed on 8th December, 2025 the Petitioner has sought for the following reliefs :

a) Quash and set aside of FIR No. 123/15 registered on 25.8.2015 with Kopri Police Station, Thane for alleged offences punishable u/s. 420, 467, 468, 471, 120-B, 109, of Indian Penal Code r/w. Section 13(1)(c) and 13(1)(d) r/w. Section 13(2) of Prevention of Corruption Act at the instance of Anti-Corruption Bureau and all arising therefrom qua the Applicant as the same is a blatant and gross abuse of the process of law;

b) Quash and set aside final report/Challan presented in terms of Section 173 Cr.P.C. dated 5.4.2025 dated 7.8.2016 as well as the order taking

cognizance passed by the Learned Special Judge, Thane;

c) Quash and set aside order dated 18.2.2025 passed in SPL CASE (ACB) No. 28/2016 by the Special Judge, Thane whereby charges were framed against the Applicant;

2. When this Criminal Application was called out at 1:15 p.m. neither the Applicant nor the Advocate for the Applicant were present either physically or through VC mode.

3. Mr. Khan, learned APP for the State on instructions from the Investigation Officer submits that the proceedings in Special Case (ACB) No. 28 of 2016 on the file of the Special Judge, Thane is at the stage of trial. He submits that 3 witnesses in the said proceedings have already been examined. He therefore submits that no purpose would be served in entertaining the present Petition and absence of the Applicant and Advocate for the Applicant indicate that the Applicant is not interested in pursuing with the Application. He therefore insists for dismissal.

4. To afford an opportunity to the Applicant / Advocate for the Applicant to appear and argue the case, list on 20th February, 2026 under the caption “for dismissal”.

2. When this matter was called out today, name of the Applicant as well as name of his Advocate shown on the file (i.e. Mr. Harshad Meshram) were called by the Sheristedar in the open Court. Despite calling their names, none appeared, either physically or through Video Conferencing mode.

3. Mr. Tanveer Khan, learned A.P.P. for the State/Respondent states that more than sufficient opportunities were afforded to the Applicant/Advocate for the Applicant to appear and argue their case. He submits that they have chosen not to avail the said

opportunities. He therefore insists for dismissal of this Criminal Application.

4. In view of absence of the Applicant, as also the Advocate for the Applicant, I have no other option but to accept the submission of Mr. Tanveer Khan, learned A.P.P. for the State/Respondent.

5. In the result, Criminal Application No. 1517 of 2025 is dismissed for non-prosecution.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR

Digitally signed by
GITALAXMI KRISHNA
KOTAWADEKAR
Date: 2026.02.20
20:00:22 +0530