

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 424 OF 2026****IN****WRIT PETITION NO. 3222 OF 2021**

Balu Rama Subbu Swami

... Applicant

V/s.

The State of Maharashtra

... Respondent

Ms. Zainba Abdi i/b Ms. Gayatri Gokhale for Applicant.

Smt. Prajakta P. Shinde, APP for Respondent-State

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**
DATE : 18th February 2026

P.C. :

1) By this Application, the Applicant-original Petitioner is seeking restoration of present Petition. The said Petition was disposed off by granting liberty to the Petitioner to challenge the Order of taking cognizance by the trial Court by filing Petition/Application before the learned Single Judge of this Court. Para No. 1 of Order dated 19th November 2025, reads as under :

“1) Learned Advocate for the Petitioner on instructions seeks leave to withdraw Petition with liberty to challenge the Order of taking cognizance by the trial Court, by filing Petition/Application before the learned Single Judge of this Court.”

2) Learned counsel for Applicant submitted that, as a matter of

fact, the said request was made in WP No. 6179 of 2021 and not in WP No. 3222 of 2021. She submitted that, in the present Petition i.e. WP No. 3222 of 2021, the relief which was sought by the Petitioner is for registration of a crime on the basis of complaints lodged by the Petitioner.

3) Perusal of record indicates that, there is substance in the contention raised by the learned Advocate for the Applicant.

4) In view of the above, the Order dated 19th November 2025 passed in the present Petition is recalled and the Petition is restored to the file.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)