

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

CRIMINAL WRIT PETITION NO. 254 OF 2026

Harshada Sharadchandra Desai. ... Petitioner.

V/s.

The State of Maharashtra & Anr.. ... Respondents.

Mr. Shivraj Kunchge, Advocate for Petitioner.

Mr. Sukanta Karmakar, APP for Respondent/State.

PSI Mr. Santosh Vijay Paradkar, Parksite Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 29th JANUARY, 2026.

P.C. :

1. By the present Petition under Article 226 of the Constitution of India, Petitioner has sought for the following substantive relief in terms of clause (A) :

A. That this Honourable Court exercising powers under article 226 of the constitution of India, 1950, and U/s. 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, be pleased to quash and set aside, the First Information Report bearing C. R. No.0900/2025, dated 27.11.2025 registered at the instance of Respondent No.2 with the Parksite Police Station, Vikroli [W].

Mumbai against the Petitioner U/s. 281, 125[a], 125[b] of the Bharatiya Nyaya Sanhita, 2023 and under Section 184 of the Motor Vehicle Act, 1988.”

2. On 27th January, 2026 following order was made :

1. Mr. Kunchge, learned Advocate appearing for the Petitioner submits that the inclusion of the name of the Petitioner in the FIR is an error which is evident from the facts available before the Investigation Officer.

2. Mr. Karmakar, learned APP appearing for the State requests for time till 29th January, 2026 to obtain instructions from the Investigation Officer. At his request and by consent of Parties list this Petition on 29th January, 2026.

3. Today, Mr. Karmakar, learned APP for the State on instructions from the Investigating Officer investigating Crime No. 900 of 2025 dated 27.11.2025 registered at Parksite Police Station, Vikroli (West), Mumbai states that the Petitioner is not named in the charge-sheet.

4. In view of the statement made by Mr. Karmakar, learned APP for the State, Mr. Shivraj Kunchge, learned Advocate for the Petitioner on instructions from the Petitioner craves leave to withdraw this Petition.

5. In view of the above, leave granted to withdraw the present Petition.

6. Mr. Kuchange states that the Petitioner not being named in the charge-sheet, which is filed pursuant to the investigation in Crime No. 900 of 2025, he requests the Investigating Officer to take steps to remove the name of the Petitioner in the context of the Crime No. 900 of 2025. Mr. Karmakar, learned APP states that appropriate steps as permissible in law and as required in law will be taken.

7. Writ Petition No. 254 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)