

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 306 OF 2026

Devinder Devraj Ghai ..Petitioner
Versus
State of Maharashtra and Anr ...Respondents

Mr. Amit Desai, Senior Advocate, with Gopalkrishna Shenoy, i/b
Dimple Shah, for the Petitioner.
Mr. P. P. Malshe, APP, or the Respondent-State.
Mr. Juzer Udaipuri, with Sofia Udaipuri and Firdaus Udaipuri, for
Respondent No.2.
Mr. Umer Khan, PSI, Khar Police Station present.

CORAM: N. J. JAMADAR, J.
DATE : 24th APRIL 2026

ORAL ORDER:

1. Heard the learned Counsel for the parties.
2. The Petitioner is aggrieved by the very pendency of the Application under Section 145 of the Code of Criminal Procedure Code, 1973 (“the Code”), initiated at the instance of the Senior Inspector of Police, Khar Police Station on 4th August 2023.
3. The order of issue of summons to the Petitioner and Respondent No.2 as Party No.1 and Party No.2 to the said proceedings was challenged before this Court. By an order dated 31st July 2025 in Writ Petition No. 2110 of 2025, the said order was set aside with a direction

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to the learned Magistrate to apply his mind and exercise powers strictly in conformity with the provisions of Section 145 (1) of the Code.

4. It is the grievance of the Petitioner that despite repeated request the said Application is not being decided by the learned Magistrate and the very pendency of the Application is causing grave prejudice to the Petitioner.

5. The Court is informed that the said proceeding under Section 145 of the Code is listed before the learned Magistrate on 27th April 2026.

6. The parties may appear before the learned Magistrate on 27th April 2026 and invite attention of the learned Magistrate to the order dated 31st July 2025 passed by this Court in Writ Petition No. 2110 of 2025.

7. The learned Magistrate is requested to hear and decide the proceedings and shall pass appropriate orders in accordance with the provisions contained in Section 145 of the Code, as expeditiously as possible and, preferably, on or before 15th May 2026.

8. Petition disposed.

[N. J. JAMADAR, J.]