

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

WRIT PETITION NO. 360 OF 2026

Ashutosh Abhyankar & Anr.

..Petitioners

Versus

State of Maharashtra & Anr

...Respondents

Mr. Aabad Ponda, Sr. Advocate, a/w Mr. Shailesh Kharat, i/by
Zishan Quazi, for the Petitioners.

Smt. S. G. Talhar, APP for the Respondent-State.

Ms. Dimple Shah, i/b Mr. Siddhant Vakil, for Resp. No. 2.

Sr. P.I. - Mr. Marathe – EOW, Unit – 11 present.

CORAM: N. J. JAMADAR, J.

DATE : 29th JANUARY 2026

P.C.:

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 19th December, 2025 passed by the learned Sessions Judge whereby the learned Sessions Judge has decided the application preferred by the petitioners regarding the maintainability of the revision application.
3. In the said Revision Application No. 225 in C.R. No. 69/2024 the Respondent-State has challenged the orders passed by the learned Magistrate, granting judicial custody, and the release of the accused on bail.

4. It is the principal contention of the petitioners that, the order granting bail cannot be assailed in a revision.

5. By the impugned order, the learned Sessions Judge has rejected the objection to the maintainability of the revision application and has opined that, the revision primarily assails the rejection of the prayer to grant police custody.

6. The apprehension of the petitioners is that, by the impugned order, the learned Sessions Judge has expressed opinion on the maintainability of the revision against the bail order as well.

7. Suffice to clarify that, the learned Sessions Judge, while deciding the revision application, shall specifically deal with and decide the contention on behalf of the petitioners that, an order granting bail is not amenable to revision and bail cannot be cancelled in exercise of revisional power.

8. Subject to the aforesaid clarification, the petition stands disposed.

[N. J. JAMADAR, J.]