

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 581 OF 2026

Nilesh Vasant Katkar and another ...Petitioner

Versus

The State of Maharashtra ...Respondent

SANTOSH
SUBHASH
KULKARNI

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Mr. Shantanu Phanse, a/w Ms. Iisa Shaikh, i/b Nikhil Gole,
for the Petitioner.

Mr. Dinesh Haldankar, APP for the State.

CORAM: N. J. JAMADAR, J.

DATED: 24th FEBRUARY, 2026

PC:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 22nd December, 2025 passed by the learned Magistrate, whereby the learned Magistrate has allowed the production of 10 documents post the filing of the charge-sheet. The grievance of the petitioner is that, the petitioner – accused were not heard before the learned Magistrate allowed the production of the documents.
3. The impugned order simply records that, “production is allowed”. The impugned order is sans reasons. Nor any opportunity of hearing seem to have been provided to the

accused before the production of the documents was allowed, after the filing of the charge-sheet. In these circumstances, the impugned order cannot be sustained. The impugned order thus stands set aside.

4. The application for production of documents filed by the Public Prosecutor stands remitted back to the learned Magistrate for fresh decision in accordance with law after providing an opportunity of hearing.

5. The learned Magistrate is requested to pass an appropriate order after providing an opportunity of hearing and recording brief reasons.

6. The petition stands disposed.

[N. J. JAMADAR, J.]