

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 648 OF 2026

Hitesh Dhansukh Gohil and ors. : Petitioners.
Versus
The State of Maharashtra : Respondent.

Mr. Aditya R Parmar, for the Petitioners.
Mr. Prasanna P Malshe, APP for the Respondent/State.
PSI Mahesh Sawant, Goregaon Police Station present.

CORAM : ASHWIN D. BHOBE, J.
DATED : 18 FEBRUARY 2026

PC:-

1. By the present Petition, the Petitioners have sought for the following substantive relief :-

“(a) That this Hon’ble Court be pleased to direct the Trial court to conduct the trial on Day-to-Day basis in C.C. No.6702204/PW/2015 pending before the Ld. JMFC, 67th Court in connection with CR No.189 of 2014 registered with Goregaon Police Station, Mumbai for offences punishable u/s 4898A, 406, 34 of the IPC.”

2. Mr. Aditya Parmar, learned Advocate for the Petitioners, refers to Exhibit-”C” page 64 of the paper book i.e. the order dated 12 March 2025 passed by this Court in Writ Petition (ST) No.4306 of 2025, and submits that despite the said order

the proceedings before the Trial Court are not taken up expeditiously. He submits that the Petitioner – Husband has not sought any adjournment and matter has not been adjourned at his behest or at his instance at any point of time.

3. The order dated 12 March 2025 passed by this Court in Writ Petition (ST) No.4306 of 2025 reads as follows :-

“1. By this petition, the petitioners are seeking relief of expediting trial.

2. Learned counsel for the petitioners submitted that respondent has filed complaint under Section 498A of the Indian Penal Code 1860 against the petitioners on 30th April 2015 which is pending before learned Metropolitan Magistrate. Hence, requested to expedite the trial.

3. Learned APP submitted that appropriate order be passed.

4. Considering the submissions of both learned counsel as well as the matter is pending before learned Metropolitan Magistrate’s Court since 2014 and petitioner Nos. 2 and 3 are senior citizens, I pass following order :-

:ORDER:

(i) the petition is allowed.

(ii) Learned Metropolitan Magistrate, 67th Court at Borivali, Mumbai, is requested to expedite the trial.

4. Mr. Prasanna Malshe, learned APP for the Respondent/State submits that though it may be a matter of

record which will have to be verified as far as the Petitioner – Husband is concerned, however, he on instructions states that other Petitioners have been requesting for exemption before the Trial Court. Mr. Prasanna Malshe submits that the Metropolitan Magistrate's Court is bound by the directions issued by this Court in Writ Petition (ST) No.4306 of 2025 and that the prosecution would point out the said order before the Metropolitan Magistrate's Court and ensure that the order is complied. He submits that in view of the order dated 12 March 2025, no further directions are required.

5. The Metropolitan Magistrate's Court to take note of the order dated 12 March 2025 and ensure compliance with the same.

6. Criminal Writ Petition No.648 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)