

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

CRIMINAL WRIT PETITION NO.802 OF 2026

Sabiha Umar Siddique

.....Petitioner

Versus

The State of Maharashtra
and others

.....Respondents

Mr. Tariq Khan, Advocate for the Petitioner.

Ms. Mahalakshmi Ganapathy, Addl. PP for the Respondent-
State.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.**

DATE : 26th FEBRUARY, 2026

P.C. :

1. Heard Mr. Tariq Khan, learned counsel for the
Petitioner and Ms. Mahalakshmi Ganapathy, learned Addl. PP
for the Respondent-State.

2. In this Petition there are many prayers. One of the
prayers mentions that the Petitioner's statement be freshly
recorded. The prayer is also that it be recorded before a
Judicial Magistrate First Class under Section 183 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS').

3. Learned counsel for the Petitioner submitted that
the Petitioner would be satisfied if her fresh statement is

recorded by another lady officer by visiting her residence and if the statement is recorded as per the provisions of the BNSS. He submitted that if such a procedure is followed, in that case, he is not pressing the other prayers made in the Petition.

4. Learned APP, on instructions, states that the investigating agency shall send another lady officer, who was not present in the police station on 5.2.2026, to the residence of the Petitioner who shall record the Petitioner's statement as per her say.

5. The statement made by the learned APP is recorded and accepted. The investigating agency shall follow that course of action. The investigating agency shall give prior notice of at least 24 hours to the Petitioner about visit to her residence. The statement be recorded after the sunrise and before the sunset. The Petitioner shall cooperate in giving her statement.

6. The Petition is disposed in the aforesaid terms.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)