

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1014 OF 2026

Mansukh H Shah

..Petitioner

Versus

State of Maharashtra

...Respondent

Mr. Darshan Patankar a/w Mr. Chirag Hathiramani i/b

Mr. Yogesh Devnani, for the Petitioner.

Mr. D J Haldankar, APP for the Respondent – State.

API – Dinesh Mahale, Dindoshi P.S., present.

CORAM : N. J. JAMADAR, J.

DATE : 30th APRIL 2026

P.C.:

1. Heard the learned Counsel for the parties.
2. The learned Magistrate having realized the change brought about by the provisions contained in Section 175(3) of the Bhartiya Nagarik Suraksha Sanhita, 2023 ('the BNSS, 2023') seems to have corrected the roznama on 14th January, 2026, and issued notice to the Police, though initially a direction for registration of the F.I.R. was passed straightaway.
3. Mr. Patankar, the learned Counsel for the petitioner submitted that, since the passing of the said order under Section 175(3) of the BNSS, 2023, there is no progress in the said complaint.

4. Since the learned Magistrate has issued notice to the Police under Section 175(3) of the BNSS, 2023 on 14th January, 2026, returnable on 04th February, 2026, the learned Magistrate ought to have passed an appropriate order in accordance with law, expeditiously.

5. The Writ Petition stands disposed with a direction to the learned Magistrate to pass an appropriate order in Case No. SW Cases W/0000432/2025 in accordance with law as expeditiously as possible and, preferably, within a period of six weeks from the date of communication of this order.

[N. J. JAMADAR, J.]