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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1022 OF 2026

Ishwar Khemchand Daryanani : Petitioner
Versus
The State of Maharashtra and ors. : Respondents.

Mr. Siddhartha Shah a/w Ms. Riya Rele i/by Siddharath Shah
& Associates for the Petitioner.

Mr. Sukanta A Karmakar, APP for the Respondent/State.
PSI Jadhav of Azad Maidan Police Station present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 07 MARCH 2026

PC:-

1. In view of the urgency in the Petition as putforth by Mr. Siddhartha Shah, learned Advocate for the Petitioner, the Petition was taken up and the following order was made on 04 March 2026 :-

1. *This matter is listed at Serial No. 119 on today's board.*
2. *Mr. Siddhartha Shah, learned Advocate for the Petitioner mentions this matter out of turn at 1.30 p.m. on the ground that the matter pertains to the liberty of a person, who is detained in Milan, Italy.*
3. *Heard Mr. Siddhartha Shah, learned Advocate for the Petitioner. He submits that the standing Non-bailable Arrest*

Warrant was issued by the Judicial Magistrate First Class, 64th Court, Esplanade, Mumbai on 11.11.2025. Pursuant to the said NBAW, Respondent No. 3 has issued a red corner look out notice against the Petitioner. He submits that he does not have any document to show the red corner look out notice. He however points out to page nos. 112 & 113 of the Petition paper-book, which according to him is a detention order of the Petitioner.

4. Issue notice to the Respondents.

5. Mr. Siddhartha Shah, learned Advocate for the Petitioner requests for early date considering the urgency involved in the matter. He prays for Hamdast.

6. At the request of Mr. Siddhartha Shah, Hamdast is granted. He assures the Court to ensure completion of service of notice on Respondent Nos. 2 & 3, on or before the next date of hearing.

7. Mr. Sukanta Karmakar, learned A.P.P. appears and waives service of notice on behalf of the State/Respondent. He does not object to the request for urgent hearing as made by Mr. Siddhartha Shah.

8. Mr. Siddhartha Shah, learned Advocate for the Petitioner states that spare copy of the present Criminal Writ Petition would be furnished to the Registry by end of the day so as to enable issuance of notice to Respondent Nos. 2 & 3.

*9. At the request of Mr. Siddhartha Shah, learned Advocate for the Petitioner and by consent of the parties, list the matter on **7th March 2026.***

2. Mr. Siddhartha Shah states that he has taken steps for issuance of notice on the Respondent No.2. He submits that

though as per his instructions, the Respondent No.2 is served, however, service report is awaited.

3. The office note dated 06 March 2026 reads as follows :-

“Notice issued to Respondent No.2 and 3, is not received back. Service report awaited. (Hamdast collected by the Advocate for the Petitioner)”

4. Mr. Siddhartha Shah states that the Hamdast Report/Service Report would be received by 09 March 2023. He states that in view of the urgency the matter be taken up on 09 March 2026.

5. Subject to service on Respondent Nos. 2 and 3 being complete, list the matter on 09 March 2026.

(ASHWIN D. BHOBE, J.)