

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1022 OF 2026

Ishwar Khemchand Daryanani

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

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

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

DATE : 16th MARCH, 2026.

P.C. :

1. Mentioned and Praecipe is submitted.
2. This Writ Petition is mentioned before us by Advocate Mr. Siddhartha Shah, learned Counsel for the Petitioner and has placed the Order dated 16/03/2026 passed by a Single Judge Bench before us which reads as under:

“1. This Petition is listed at Serial No. 136 on today’s board.

2. Mr. Siddhartha Shah, learned Advocate for the

Petitioner mentions this matter out of turn at 11:45 a.m. on the ground that the matter pertains to the liberty of a person, who is detained in Milan, Italy. As such this Petition was taken up out of turn on mentioning.

3. Mr. Siddhartha Shah, learned Advocate states that subject matter of the present Criminal Writ Petition does not pertain to the assignment of this Court.

4. In view of the statement made by Mr. Siddhartha Shah, learned Advocate for the Petitioner, remove the matter from board.”

3. Learned Counsel for the Petitioner submitted that this matter on seven occasions was argued before the learned Single Judge Bench. The Order dated 16/03/2026 simply mentions that the matter was to be removed from the Board. It does not mention that the Registry to verify and place the matter before the appropriate Bench.

4. As we are informed the main prayer is for setting aside of the Non-bailable warrant (NBW) issued by the learned Judicial Magistrate First Class, 64th Court, Esplanade, Mumbai. That would be a judicial order. There are other consequential prayers as well. Therefore, since there is no specific liberty granted by the learned Single Judge Bench

vide the Order dated 16/03/2026, the Office to verify as to which Bench the matter pertains by preparing a written report. Depending on the Office written report, the learned Counsel for the Petitioner can mention this matter for circulation before the appropriate Bench.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)