

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1154 OF 2026

Abhijeet Shailendra Bhosale

... Petitioner

V/S.

State Of Maharashtra

...Respondent

Mr. Karansingh Rajput a/w Kamil Sayed, learned Advocate for the
Petitioner.

Mr. Sukanta Karmakar, learned APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 13th March, 2026.

P.C. :

1. Heard Mr. Karansingh Rajput, learned Advocate for the
Petitioner and Mr. Sukanta Karmakar, learned APP for the
Respondent – State.

2. Mr. Karansingh Rajput fairly submits that the Petitioner had
earlier approached this Court by filing Criminal Writ Petition No.
4110 of 2023 which was disposed of on 20th June, 2024 by passing
the following Order:-

*1. As the police have already filed
charge sheet and criminal case being C. C. No.
1069/PS/2023 arising out of FIR No. 8 of
2023 registered with Parksit Police Station is*

pending before the 31st Metropolitan Magistrate, Vikhroli, Mumbai, the Petitioner will have an alternate remedy under the provisions of Code of Criminal Procedure before the trial Court.

2) By reserving the alternate remedy, the Petition is disposed off.

3. Mr. Karansingh Rajput states subsequent to the Order dated 20th June, 2024, the Petitioner has filed an Application seeking discharge before the 31st Metropolitan Magistrate Court, Vikroli Mumbai which is at Exhibit-19 on the file of C.C. No. 1069/PS/2023. He submits that the said Application is pending adjudication.

4. Mr. Karansingh Rajput submits that in view of the delay in disposal of the said Application (Exhibit 19) and the Petitioner being severely prejudiced by the impugned FIR / Chargesheet, the Petitioner has approached this Court with the present Petition.

5. Mr. Sukanta Karmakar, learned APP for the Respondent – State, submits that as the Petitioner has already filed an Application (Exhibit 19) seeking discharge before the learned 31st Metropolitan Magistrate Court, it would be appropriate to issue a

direction to the Metropolitan Magistrate to dispose of the said Application.

6. Considering the said Order dated 20th June, 2024 passed by this Court in Criminal Writ Petition No. 4110 of 2023 and the Petitioner having exercised his right to avail the said alternate remedy by filing an Application at Exhibit-19, it is appropriate to request the 31st Metropolitan Magistrate Court, Vikhroli Mumbai to make an endeavor to dispose of the Application seeking discharge at Exhibit 19 filed in C.C. No. 1069/PS/2023, expeditiously and at any rate within a period of 3 months from 1st April, 2026.

7. Mr. Karansingh Rajput, states that the Petitioner shall place a copy of this Order before the 31st Metropolitan Magistrate Court, Vikhroli, Mumbai.

8. Writ Petition No. 1154 of 2026 is disposed of with the above said observations.

(ASHWIN D. BHOBE, J.)

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