

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

WRIT PETITION NO. 1158 OF 2026

Mr. Vasudeo Madhukar Mhapsekar ...Petitioner

Versus

Central Bureau of Investigation & Anr. ...Respondents

Mr. Prashant D. Sawardekar, learned Advocate for the Petitioner.

Mrs. Poonam P. Bhosale, learned A.P.P. for the State/Respondent.

Mr. Kuldeep Patil, learned Special Counsel for the CBI-Respondent No. 1.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th MARCH 2026.

P.C. :

1. Heard Mr. Prashant Sawardekar, learned Advocate for the Petitioner, and Mr. Kuldeep Patil, learned Special Counsel for the CBI-Respondent No. 1.

2. Mr Prashant Sawardekar states that the Petitioner has filed this Petition challenging the order dated 05.12.2025, by which an application filed by the Petitioner seeking to stop the criminal proceedings on the grounds that the Petitioner was exonerated in the Departmental Enquiry was rejected. He submits that the proceedings of CBI Special Case No. 120 of 2009 have reached the stage of final hearing. He states that the final arguments have, in fact, commenced before the Special Judge, CBI, at Greater Mumbai.

3. Mr. Kuldeep Patil, the learned Special Counsel for the CBI-Respondent No. 1, states that the Petitioner is entitled to present all his arguments in defence before the Special Judge, CBI Court, at the time of final arguments of CBI Special Case No. 120 of 2009.
4. Based on the statement made by Mr. Kuldeep Patil, learned Special Counsel for the CBI, Mr Prashant Sawardekar, learned Advocate for the Petitioner, on instructions from the Petitioner, craves leave to withdraw the present Petition to urge all the contentions/grounds of defence before the Special Judge, CBI Court. He, however, requests that the observations made by the Special Judge, CBI Court, in the order dated 05.12.2025, may not be held against the Petitioner.
5. Mr. Kuldeep Patil, learned Special Counsel for the CBI, does not oppose the request made by Mr. Prashant Sawardekar, learned Advocate for the Petitioner.
6. Petitioner is entitled to raise all his contentions/defences on facts as well as law before the Special Judge, CBI Court in CBI Special Case No. 120 of 2009. All such contentions would be considered by the Special Judge, CBI, on its own merits and in accordance with law, uninfluenced by its observations in the order dated 05.12.2025.
7. Criminal Writ Petition No. 1158 of 2026 is disposed of in the above said terms.

[ASHWIN D. BHOBE, J.]