

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1443 OF 2026

Deepak Ramchand Sharma ... Petitioner

V/s.

Income Tax Department And Anr ... Respondents

Ms. Mrunmai Kulkarni i/b Mr. Mayur Tamore, Advocate for the
Petitioner.

Ms. A.S. Gotad, APP for Respondent No.2-State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 1st April 2026

P.C.:

1. Heard Ms. Mrunmai Kulkarni, learned Advocate for the Petitioner,
and Ms. A. S. Gotad, learned APP for Respondent No.2-State.

2. Ms. Mrunmai Kulkarni, learned Advocate for the Petitioner, on
instructions from the Petitioner, crave leave to withdraw the present
Petition with liberty to file a Criminal Revision Application before the
Sessions Court under Section 438 of BNSS. She on instructions from the
Petitioner, makes a statement that till date the Petitioner is not served
with either the summons or the order issuing process dated 1st March,
2019 in CC No.349/SW/2017. She again on instructions states that the
Petitioner knowledge of the summons and order dated 1st March, 2019
would be from the filing of the Writ Petition No.637 of 2026. She
submits that the Petitioner is deemed to have acquired knowledge of the

said order of cognizance dated 1st March, 2019 on 12th February, 2026. She therefore submits that the period of limitation for the Petitioner to challenge the order impugned in this Petition would commence from 12th February 2026. She on instructions, states that the proposed Criminal Revision Application would be filed before the Sessions Court within a period of 4 weeks from today.

3. Ms. A.S. Gotad, learned APP for Respondent No.2, states that she does not object to the said request made by Ms. Mrunmai Kulkarni.

4. In view of the statements made by Ms. Mrunmai Kulkarni, that the Petitioner is not served with the summons or the order dated 1st March 2019 in C.C. No.349/SW/2017 and considering the Petitioner was bonafidely pursuing his remedy by way of this Petition, if the proposed Criminal Revision Application is filed within a period of four (4) weeks from today before the Sessions Court having jurisdiction, then the same would be considered on its own merits and in accordance with law, without insisting for an application for condonation of delay.

5. All the contentions of the parties are kept open for consideration in the Criminal Revision Application.

6. This Criminal Writ Petition No.1443 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)