

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2016 OF 2026

Zuventus Healthcare Limited and Ors ..Petitioners
Versus
State of Maharashtra and Anr ...Respondents

Dr Birendra Saraf, Senior Advocate, with Chandansingh Shekhawat,
Janay Jain and Sanskruti Harode, i/b Parinam Law Associates,
for the Petitioners.

Mr. P. P. Malshe, APP, for Respondent No.1.

Mr. Mutahhar Khan, with Jyoti Sinha and Madhur Arora, i/b Khaitan
and Co, for Respondent No.2.

CORAM: N. J. JAMADAR, J.

DATE : 30th APRIL 2026

ORAL ORDER:

ARUN
RAMCHANDRA
SANKPAL

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ARUN
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- 1.** Heard Dr. Birendra Saraf, the learned Senior Advocate for the Petitioners and Mr. P.P. Malshe, the learned APP for Respondent No.1.
- 2.** The challenge in this Petition is to an order dated 3rd February 2026 passed by the learned Magistrate in a private complaint; Criminal MA No. 518 of 2026, of issue notice under Section 223 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (“BNSS, 2023”), purportedly without examining the complainant.
- 3.** Mr. Mutahhar Khan, the learned Counsel for Respondent No. 2 submits that the impugned order may be set aside and learned

Magistrate may be directed to deal with the Criminal MA No. 518 of 2026 in accordance with law.

4. In view of the aforesaid submission and judgment of this Court in the case of **Sashidhar Jagdishan (Managing Director and Chief Executive Officer of HDFC Bank Ltd) Vs State of Maharashtra Through Public Prosecutor, Bombay High Court and Ors,**¹ the impugned order of issue of notice to the Petitioner under Section 223 of the BNSS stands quashed and set aside.

5. The learned Magistrate is requested to pass an appropriate order in accordance with law in Criminal MA No. 518 of 2023 keeping in view the decision in the case of **Sashidhar Jagdishan (Supra).**

6. Petition disposed.

[N. J. JAMADAR, J.]

¹ 2025 SCC OnLine Bom 2928.