

lgc

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

CRIMINAL WRIT PETITION NO.2096 OF 2026

Priti Buntty Chugh : Petitioner.
Versus.
The State of Maharashtra and anr. : Respondents.

Mr. Bhavesh C Sawant i/by Ms.Minal Chandani for the
Petitioner.

Mr. Yogesh Nakhawa, APP for the Respondent/State.
API Gokul Jagtap, Kasarvadavli Police Station present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 27 APRIL 2026

PC:-

1. Mr Yogesh Nakhawa learned APP, raises a preliminary objection to the maintainability of this Petition on the ground that the order dated 03 October 2025, impugned in the present Petition, is a revisable order, against which a Criminal Revision Application under Section 438 of the Bharatiya Nyaya Sanhita, 2023 is maintainable before the Sessions Court.

2. In view of the objection raised by Mr. Yogesh Nakhawa, learned APP for the Respondent/State, Mr. Bhavesh Sawant learned Advocate for the Petitioner, on instructions from the

Petitioner, seeks leave to withdraw the present Writ Petition with liberty to file a Criminal Revision along with an application seeking condonation of delay before the Sessions Court. He submits that as this Petition was filed bona fide and in good-faith, the time spent in this Petition should be excluded.

3. The request made by Mr. Bhavesh Sawant, learned Advocate for the Petitioner, is not opposed by Mr. Yogesh Nakhawa, learned APP for the Respondent/State.

4. In view of the statement made by Mr. Bhavesh Sawant, learned Advocate for the Petitioner, leave granted to withdraw the present Petition with liberty to file Criminal Revision Application under Section 438 of the BNS, 2023 before the Sessions Court having jurisdiction. If such a Revision Application alongwith an Application seeking condonation of delay is filed before the Sessions Court having jurisdiction within four weeks from today, then the Petitioner would be entitled to seek the benefit of the exclusion of time spent in this Petition (i.e. from the date of filing of this Petition till passing of this order) in terms of Section 14 of the Limitation Act, 1963.

5. In view of the above, Writ Petition No.2096 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)