

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2214 OF 2026

Kailas Somnath Gaikwad

... Petitioner

Vs.

The State of Maharashtra

... Respondent

Mr. Tapan Thatte a/w Mr. Akshay Dingale, Advocate for the Petitioner.

Mr. Sukanta Karmakar, APP for the State.

PI. Kirankumar N. Wagh, ACB Navi Mumbai, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 24th APRIL 2026.

P.C.:

1. This Petition was circulated pursuant to the praecipe dated 23rd April, 2026, same is taken on record and marked (“X”) for identification.

2. In view of the urgency expressed in the praecipe by Mr. Tapan Thatte, learned Advocate for the Petitioner, this Petition was taken up on the “Production List” dated 23rd April, 2026.

3. On 23rd April, 2026 the following order was made:-

“1. This Petition was circulated in view of the praecipe dated 23rd April, 2026. The same is taken on record and marked ‘X’ for identification.

2. In view of the urgency expressed in the praecipe by Mr. Tapan Thatte, learned Advocate for the

Petitioner, this Petition was taken up on the “Production List”.

3. Heard Mr. Tapan Thatte, learned Advocate for the Petitioner.

4. Issue Notice to the Respondent.

5. Mr. Tapan Thatte, learned Advocate for the Petitioner, has expressed urgency in the matter. At his request, list this Petition on 24th April, 2026, first on board, subject to service being complete on the Respondent.

6. Mr. Tapan Thatte, assures the Court that he will complete service of the notice on the Respondent”.

4. By the present Petition, the Petitioner has sought the following substantive reliefs in terms of prayer clause (A) to (E), which reads as under:-

“A. Quash and set-aside the order dated 22nd April, 20226 by the Learned Special Court at Belapur in FIR No.116/2026 registered with NRI Sagari Police Station whereby the Petitioner was remanded to police custody till the 24th April, 2026

B. During the pendency of this Petition stay the operation and effect of the order dated 22nd April 2026 by the learned Special Court at Belapur in FIR No. 116/2026 registered with NRI Sagari Police Station whereby the Petitioner was remanded to police custody till 24th April 2026.

C. Consequently, set the Petitioner to liberty in

connection with the order dated 22nd April 2026 by the Learned Special Court at Belapur in FIR No.116/2026 registered with NRI Sagari Police Station whereby the Petitioner was remanded to police custody till the 24th April 2026.

D. The Petitioner being incarcerated in police custody the verification of this Petition be dispensed with.

E. Make any other order necessary in the interests of justice”.

5. Today, when this Petition was called out, after having argued for some time, Mr. Tapan Thatte, learned Advocate for the Petitioner, requested a pass over. At his request, the matter was taken up after some time.

6. Mr. Tapan Thatte, learned Advocate for the Petitioner, on instructions from the Petitioner, states that the Petitioner does not press the reliefs in this Petition and seeks leave to withdraw the present Petition, with liberty to file appropriate proceedings before the Trial Court as well as before forums dealing with Service-related matters.

7. Mr. Sukanta Karmakar, learned APP for the State, states that since the Petitioner is not pressing the reliefs prayed for in this Petition, he does not object to the request made by Mr. Tapan Thatte, learned Advocate for the Petitioner.

8. In view of the statement made by Mr. Tapan Thatte, learned

Advocate for the Petitioner, leave granted to withdraw the present Petition with liberty as prayed.

9. All contentions of the parties are left open.

10. The Criminal Writ Petition No. 2214 of 2026 is disposed of in the above said terms.

(ASHWIN D. BHOBE, J.)