

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

WRIT PETITION NO. 2226 OF 2026

Mr. Bilal Ismail Dalvi and Ors. ... Petitioners

Versus

The State of Maharashtra and Anr. ... Respondents

Mr. Rahul S. Arote, for the Petitioner.

Ms. Mahalakshmi Ganapathy, Addl. P. P., for the Respondent-State.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.**

DATE : 24th APRIL, 2026.

P.C. :

1. This is a Petition for directions to quash and set aside the Look Out Circular (LOC) issued by the Bureau of Immigration at the instance of the Investigating Agency i.e. Kharghar Police Station in respect of C.R. No.58 of 2025 under Section 85 of Bharatiya Nyaya Sanhita 2023 (BNS). In this case, the chargesheet is filed and the trial is at the stage of framing of charge. The contention of the Investigating Agency is that the Petitioners are not available and therefore, the trial is not proceeding. In that situation, they had to insist on opening the

LOC against the Petitioners.

2. Learned Counsel for the Petitioners submitted that the Petitioners had co-operated during the investigation. They are willing to remain present before the trial Court. The next date in the trial Court is 07/05/2026. The Petitioners at present are in Dubai and therefore, as soon as they come to India they are apprehending that they would be arrested though they are willing to appear before the Court on 07/05/2026.

3. Petitioner No.1 is the husband of the first informant, the Petitioner No.2 is the mother, the Petitioner No.3 is the maternal uncle, the Petitioner No.4 is the brother of Petitioner No.1, the Petitioner No.5 is wife of the Petitioner No.4 and the Petitioner No.6 is the son of Petitioner No.3.

4. We have considered the submissions made by the learned Counsel for the Petitioners as well as the learned Addl. P.P. The

chargesheet is already filed. The short question is whether the Petitioners' presence is necessary before the trial Court so that the trial can proceed further.

5. Learned Addl. P. P. on instructions of the Investigating Agency states that the Investigating Agency is only interested in progress in the trial. They do not want to arrest the Petitioners for the purpose of investigation because the chargesheet is already filed. Learned Addl. P. P. further submitted that to secure the Petitioners' presence before the trial and to enable them to return to India, the LOC be suspended for a reasonable period so that the Petitioners need not have grievance that because of LOC they could not enter India. The statement is recorded and accepted.

6. From the background of these facts, it is clear that at this stage, the arrest of the Petitioners is absolutely unnecessary. The only concern is that the Petitioners should appear before the trial Court so that the trial progresses and their appearance is assured before the trial Court.

In this view of the matter, it would be appropriate if the concerned LOC is stayed for a reasonable period as submitted by the learned Addl. P. P. Hence, the following order:

ORDER

(i) The LOC pending against the Petitioners in connection with C.R. No.58 of 2025 registered at Kharghar Police Station which has resulted in RCC No.708 of 2025 pending before JMFC, Panvel is suspended between 01/05/2026 to 12/06/2026.

(ii) The Petitioners shall attend the trial Court on 7th May, 2026 and complete the formalities. The Petitioners shall co-operate with the progress of the trial.

(iii) With these directions, Writ Petition No.2226 of 2026 is disposed of.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)