

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

WRIT PETITION NO.2556 OF 2026

Shadab Sajjad Ahmad Shaikh

...Petitioner

Versus

The State of Maharashtra

...Respondent

Ms. Payoshi Roy a/w Ulkesh Gangurde & Palak Dubey, for the Petitioner.

Ms. S. M. Yadav, APP, for the Respondent-State.

*API Vinod Chavan, Nizampura Police Station, Bhiwandi, Thane City,
present.*

Coram: Madhav J. Jamdar, J.

Date: June 16, 2026

P.C.:

1. Heard Ms. Payoshi Roy, learned Counsel appearing for the Petitioner and Ms. Yadav, learned APP for the Respondent-State.
2. The challenge in this Writ Petition is to the Order dated 16th March 2026 passed by the learned JMFC, Bhiwandi, issuing a proclamation under Section 84 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*.
3. It is the main submission of Ms. Roy, learned Counsel for the Petitioner, that the proclamation has been issued without giving any reasons. Ms. Roy, learned Counsel, submits that the Petitioner had also sustained injuries and was hospitalized for a considerable period. She further submits that this is a case of cross-FIR.

4. On the other hand, Ms. Yadav, learned APP, submits that although the reasons are not given in the impugned Order, however, the same has been passed on the basis of the Police report dated 16th March 2026, which adequately records the reasons. However, it is for the learned Court to give its own reasons.
5. Accordingly, only on the ground that the learned JMFC has not passed a reasoned Order, the impugned Order dated 16th March 2026 passed by the learned JMFC, Bhiwandi, is set aside.
6. The learned JMFC, Bhiwandi, shall pass a fresh Order on the report dated 16th March 2026 submitted by the Respondent seeking issuance of a proclamation.
7. Accordingly, the Writ Petition is disposed of in above terms.

[Madhav J. Jamdar, J.]