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

CRIMINAL APPLICATION NO. 124 OF 2026

Sahil @ Shendi Mangesh Hule ... Applicant
Versus
The of Maharashtra and Ors. ... Respondents

Ms. Pooja Agarwal (Through V.C.) for the Applicant.
Mr. S.V. Gavand, APP for Respondent – State.
Mr. A.H. Bhilate, PSI attached to Thane Crime Branch present.
Mr. Shirsat, API attached to Vartak Nagar Police Station Thane, present.

CORAM : HITEN S. VENEGAVKAR, J.

DATE : 18th APRIL, 2026

P.C. :

1. The learned APP Mr. Gavand informs the Court that the order that has been challenged in the present Criminal Application is the detention order and therefore as per the Bombay High Court Appellate Side Rules, the detention order will have to be challenged by way of Writ Petition under Article 226 of the Constitution of India and to be placed before the Division Bench of this Court. The Learned Advocate appearing for the Applicant submits that the body of the Application thus mentions that the grievance is raised before this Court under Article 226 of the Constitution of India and therefore it should be considered. However, it is an admitted position that the Application is to be heard by exercising powers under Article 226 of the Constitution

of India. Thus, the learned Advocate for the Applicant then seeks liberty to withdraw the present Criminal Application and with further prayer to grant liberty to file a fresh Writ Petition under Article 226 of the Constitution of India and move before the Division Bench of this Court challenging the impugned order in the present Application.

2. After hearing both the sides the liberty as prayed by the learned Advocate for the Applicant is granted.

3. Criminal Application is disposed of as withdrawn.

4. The Applicant is at liberty to file a fresh Writ Petition under Article 226 of the Constitution of India.

(HITEN S. VENEGAVKAR, J.)