

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

APPLICATION NO. 553 OF 2026

Sunil Murlidhar Bhagat ..Applicant

Versus

The State of Maharashtra & ors. ...Respondents

Mr. R B Mungekar a/w Mr. Sudhanshu Sawant, for Applicant.
Mr. Tanveer Khan, APP for the Respondent - State.

CORAM : N. J. JAMADAR, J.

DATE : 16th APRIL 2026

P.C.:

1. Heard the learned Counsel for the parties.
2. The challenge in this application is to an order dated 28th January, 2026 passed by the learned Sessions Judge in Criminal Revision Application No. 883/2024 whereby the revision application preferred by the applicant/complainant against an order dated 13th September, 2024 passed by the learned Magistrate to the extent dismissing the complaint qua the Respondent Nos. 2 and 3/original accused Nos. 2 and 3, came to be dismissed.
3. The learned Magistrate was of the view that, the material on record indicated that, at the time of alleged occurrence dated 20th November, 2021, only the Accused No. 1 was present with her pet dog. The presence of Accused Nos. 2 and 3 was not

revealed. Thus, finding that the Accused Nos. 2 and 3 were not involved in the offence, the complaint came to be dismissed qua Accused Nos. 2 and 3.

4. At this juncture, in exercise of the supervisory jurisdiction, this Court does not find any unjustifiable reason to interfere with the *prima facie* view taken by the Courts below. Suffice to clarify that, after the evidence is led, if the trial Court finds that persons against whom process had not been issued were also involved in the commission of the alleged offences, the Court is not denuded of the power to summon those persons as accused.

5. Thus, keeping open the aforesaid option, the Application stands disposed.

[N. J. JAMADAR, J.]