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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1035 OF 2026

Satish Kumar Bandi Managing
Director of SEIL & Ors. ... Applicants
Versus

Shakti International LLP & Anr. ... Respondents

Mr. Karan Bhosale, Ms. Neha Bhosale, Laveena Tejawani, Mr. Prasad Mhamunkar i/b NDB Law, Advocates for Applicant.

Ms. Rajeshree Newton, APP for Respondent No. 2 – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th JUNE, 2026

P.C. :

1. This Application was circulated pursuant to the praecipe dated 12.06.2026. At the request of Mr. Karan Bhosale, learned Advocate for the Applicants and in view of the urgency expressed by him, this Petition was ordered to be listed in today's 'Production List'.

2. By the present Application, the Applicants have sought the following substantive reliefs in prayer clauses (a) & (b) :-

“a. That this Hon’ble Court may be pleased to quash

and set aside the Impugned Order dated 25th November, 2025 (Exhibit- B) passed in the Criminal Complaint No. 1540/SUM/2025 before the 48th Judicial Magistrate First Class, at Andheri;

b. That this Hon'ble Court may be pleased to quash and set aside the Criminal Complaint No. 1540/SUM/2025 before the 48th Judicial Magistrate First Class, Andheri (Exhibit A);

3. Ms. Rajeshree Newton, learned APP for Respondent No. 2 – State, submits that the impugned order is one by which the Magistrate has issued process under Section 138 of the Negotiable Instruments Act. She submits that the said order is revisable under Section 438 of the BNSS, 2023 and that a Criminal Revision Application would be available before the Sessions Court at the first instance.

4. In view of the objection raised by Ms. Rajeshree Newton, learned APP, Mr. Karan Bhosale, learned Advocate for the Applicants, on instructions from the Applicants, seeks leave to withdraw this Application, with liberty to approach the Sessions Court by filing a Criminal Revision Application under Section 438 of the BNSS, 2023. He states that the Applicants were served with the summons issued by the Judicial Magistrate (First Class), 48th Court, Andheri in Summary Case No. 1540 of 2025 on 21.04.2026.

5. As the Applicants were served with the summons in Criminal Complaint Case No. 1540 of 2025 on 21.04.2026, they are within the limitation period prescribed under Article 131 of the Limitation Act, 1963, for filing the Criminal Revision Application.

6. In view of the statements made by Mr. Karan Bhosale, learned Advocate for the Applicants, leave is granted to withdraw this Application, with liberty to file a Criminal Revision Application under Section 438 of the BNSS, 2023, before the Sessions Court having jurisdiction.

7. Criminal Application No. 1035 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)