

MHRG170010232026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE PANVEL RAIGAD
AT : PANVEL
ORDER BELOW EXHIBIT NO.5 IN
CRIMINAL REVISION APPLICATION NO.46/2026
(DATED 22/06/2026)

Manjula Mhatre and ors Vs. Kundan Mhatre and ors

Applicants have filed present application for stay to the order passed by Ld. Judicial Magistrate First Class, (here-in-after referred to as the Ld.Trial Court) below Exh.67 in RCC No. 940/2013 on 29/05/2026 whereby the Ld. Trial Court has allowed the application moved by defacto complainant for further investigation.

2] Heard Ld. Adv. Shri V.A. Bhanushali for the applicants. Perused application, impugned order and other documents placed on record.

3] Shri Bhanushali has argued that applicants have hopes to succeed in the present revision application. However, pending hearing and final disposal of present revision application may take some time. In such circumstances if the impugned order is not stayed, irreparable loss will be caused to the applicants. Hence, Shri Bhanushali prayed that till the final disposal of main revision application impugned order be stayed.

4] After giving thoughtful consideration to the submissions advanced by Ld. Adv. Shri Bhanushali, I have gone through the material placed on record. On perusal of impugned order it seems that the Ld. Trial Court has directed the investigating officer to conduct further investigation u/sec.173(8) of The Code of Criminal Procedure, 1908. The applicants have challenged the impugned order in present revision application, therefore, the said order is required to be scrutinized within four corners of the law. Furthermore it is pertinent to note that the present revision application will take some time to be decided. In such circumstances if impugned order is not stayed, the very purpose of filing present revision application will be frustrated. Hence, I pass the following order.

ORDER

1. The application is allowed.
2. Till the final decision of present revision application the operation and effect of the impugned order dated 29/05/2026 passed below Exh.67 in RCC No.240/2013 is stayed.
3. Inform the Ld. Trial Court.

Panvel
Date :- 22/06/2026

(S. R. Ugale)
Additional Sessions Judge,
Panvel

CERTIFICATE

I affirm that, the contents of this P.D.F file judgment/ order are same, word to word, as per the original Judgment.

Name of Stenographer : S. J. Sheth (Grade 1)
Dictation given on (direct) : 22/06/2026
Order signed by PO on : 22/06/2026
Order uploaded on : 22/06/2026