

MHCC020007222025



IN THE COURT OF ADDITIONAL SESSIONS JUDGE
FOR GREATER MUMBAI AT MUMBAI

ORDER BELOW EXHIBIT-194
IN
MCOC SPL. CASE NO.52 OF 2025

Shehzeen Zaiuddin Siddique

] Intervener/ Victim

]

Versus

]

The State (DCB CID, Mumbai)

] ... Complainant

]

CORAM : THE ADDL. SESSIONS JUDGE AND
THE SPECIAL JUDGE UNDER
MCOC/NIA/POTA ACT
SATYANARAYAN R. NAVANDER (C. R. NO.55)
DATE : 05.08.2026.

Adv. Mr.Pradip Gharat a/w Adv Mr.Trivankumar Karnani for the
complainant/intervener.
SPP Mr. Mahesh Mule for the State.

ORDER

This is an application seeking initiation of appropriate action against the Investigating Officer for alleged willful disobedience of the directions issued by this Court.

Background Facts:

2. It is an admitted position that absconding accused Anmol Bishnoi is presently lodged in Tihar Jail, New Delhi, in connection with another case investigated by the NIA. His presence is required for the effective conduct of the present trial. Since the Investigating Agency had not taken effective steps to secure his presence, the intervener preferred an application at Exhibit-174 seeking appropriate directions to the prosecution to procure the custody of the said accused.

3. The prosecution resisted the application by contending that the physical custody of the accused was necessary for interrogation. However, according to the prosecution, such custody could not be obtained in view of the order dated 05.12.2025 passed by the Government of India under Section 303 of the Bharatiya Nagarik Suraksha Sanhita, 2023, whereby the removal of accused Anmol Bishnoi from Tihar Jail was prohibited for a period of one year from the date of the said order or till the conclusion of Special Case No.4 of 2013 pending at Delhi, whichever is earlier.

4. Upon hearing both sides, this Court, by order dated 10.07.2026, observed that the Investigating Agency had not made sincere efforts to secure the presence of the accused. It was further observed that even if his physical custody could not be obtained because of the aforesaid restraint order, his production through video conferencing could be explored. This Court also observed that the Investigating Officer could visit the concerned jail for interrogation, if permissible, and simultaneously secure the accused's presence before this Court through video conferencing so that the present trial is not unnecessarily delayed.

5. Accordingly, this Court directed the Investigating Agency to take all necessary steps to secure the presence of accused Anmol Bishnoi before this Court and to submit a compliance report.

6. Despite the specific directions contained in the order dated 10.07.2026, the Investigating Officer merely obtained a production warrant from this Court and moved an application before the learned Additional Sessions Judge-03, Patiala House Courts, New Delhi, seeking

physical production of the accused. The Investigating Officer was fully aware that the Government of India had already restrained the removal of the accused from Tihar Jail by order dated 05.12.2025. Unsurprisingly, relying upon the very same restraint order, the Delhi Court rejected the request for physical production of the accused.

7. Today, the Investigating Officer, Shri Subhash Dhudhgaonkar, ACP, has submitted a compliance report stating only that an application for production of the accused was moved before the Delhi Court and that the same came to be rejected. A copy of the order passed by the Delhi Court has been placed on record. The report is conspicuously silent regarding any effort made to comply with the directions issued by this Court in its order dated 10.07.2026. There is no explanation as to why no attempt was made to secure the presence of the accused through video conferencing or by adopting any other legally permissible mode as indicated by this Court.

8. Shri Subhash Dhudhgaonkar, ACP, is personally present before the Court. When questioned as to why the directions contained in the order dated 10.07.2026 were not complied with, he submitted that unless the physical custody of the accused was obtained, proper investigation could not be carried out and, therefore, the option of producing the accused through video conferencing was not pursued.

9. The explanation offered by the Investigating Officer is wholly unsatisfactory. The directions issued by this Court were explicit. The Court had consciously taken note of the restraint order issued by the Government of India and, therefore, had specifically indicated alternative modes for securing the presence of the accused. Instead of

making genuine efforts to comply with those directions, the Investigating Officer merely repeated the exercise which was bound to fail in view of the existing restraint order. The compliance report does not disclose any endeavour to implement the directions of this Court in their true letter and spirit.

10. Judicial orders are required to be obeyed by authorities entrusted with the administration of criminal justice. Once a lawful direction is issued by a competent Court, it is incumbent upon the Investigating Officer to make sincere and bona fide efforts to comply with the same. In the present case, prima facie, the conduct of the Investigating Officer reflects deliberate disregard of the directions contained in the order dated 10.07.2026. Before initiating any action, the principles of natural justice require that an opportunity be afforded to the Investigating Officer to explain his conduct. Hence, the following order:

O R D E R

1. Shri Subhash Dhudhgaonkar, ACP and Investigating Officer of the present case, shall show cause as to why appropriate action should not be initiated against him for prima facie willful disobedience of the order dated 10.07.2026 passed by this Court.
2. His written explanation shall be filed on or before 12.08.2026.



Dated: 05.08.2026.

(SATYANARAYAN R. NAVANDER)
ADDL. SESSIONS JUDGE
& SPECIAL JUDGE UNDER MCOC ACT
GREATER MUMBAI.
(COURT ROOM NO.55)

Dictated on : 05.08.2026.

Checked on : 05.08.2026.

Signed on : 05.08.2026.

“ CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”.		
UPLOAD DATE	UPLOAD TIME	NAME OF STENOGRAPHER
05.08.2026	05.50 P.m.	Mayuresh P. Tathe
Name of the Judge (With C. R. No. 55)		HHJ Shri. S.R. NAVANDER
Date of pronouncement of JUDGMENT/ORDER		05.08.2026
JUDGMENT/ORDER signed by P.O. on		05.08.2026
JUDGMENT/ORDER uploaded on		05.08.2026