

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

Criminal Writ Petition No. 1852 of 2024

Seeta Salgia Patel ... Petitioner
V/s.
State of Maharashtra and anr. ... Respondents.

Mr. Jamsheed Master a/w. Aniket Worlikar for the Petitioner.

Ms. M.M. Deshmukh, APP for the State.

Mr. Jay Zaveri i/b.M/s. Crawford Bayley for the Respondent No.2.
PSI – Vishal Gawade, Gamdevi Police Station.

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**CORAM : SARANG V. KOTWAL
& S.M. MODAK, JJ.**

DATE : 6th May 2025.

P.C.:

Learned Counsel for the Applicant as well as learned APP, on instructions, states that in this case the charge is already framed. Therefore, learned Counsel for the Petitioner seeks leave to amend to modify the prayer clause to challenge the order of framing of the charge and also to correct the statement that Petitioner in an Indian Citizen. In fact she is a U.S.A. citizen. Learned Advocate Jay Zaveri appears for the Respondent No.2. Hence, we pass the following order:

ORDER

(i) Leave to amend is granted to correct the statement in the

application that the Petitioner is an Indian citizen, however, according to the learned Counsel for the Petitioner, she is a USA citizen. Leave to amend to correct that statement is granted.

(ii) Leave to amend to modify the prayer clause is also granted.

(iii) Amendment be carried out within a period of one week from today.

(iv) Issue notice to the Respondent No.2. Learned Counsel Mr. Jay Zaveri waives service of notice on the Respondent No.2.

2. After the amendment is carried out, the matter be placed before the appropriate Bench. The Registry shall consider whether the order of framing of charge which is a judicial order could be challenged before a Single Judge bench. The Applicant is at liberty to move the vacation bench in case of urgency by giving notice to the other side. If matter is not listed before vacation bench, liberty is granted to the parties to mention before the appropriate bench as per the report of the Registry.

3. Re-verification dispensed with.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)