

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1173 OF 2026

Asif Khan Shabbir Khan Pathan. ... Petitioner
Versus
State of Maharashtra & Ors. ... Respondents

Mr. Chetan S. Damre, Advocate for Petitioner.
Mr. A.R. Metkari, APP for Respondent-State.

CORAM: N. J. JAMADAR, J.
DATE : 12th MARCH 2026

P.C.:

- 1.** Heard the learned Counsel for the Petitioner.
- 2.** An arguable question as to whether the learned Sessions Judge could have ordered the recall of the witnesses in the light of the nature of the alteration in the charge, arises for consideration.
- 3.** Issue notice to the Respondents for final disposal, returnable on 9th April, 2026.
- 4.** Mr. Metkari, learned APP waives service on behalf of Respondent-State.

5. In addition to notice through Court, the Petitioner shall serve the Respondent Nos. 2 to 7 by private service and file an Affidavit of Service.

6. In the meanwhile, the learned Sessions Court is requested to defer the hearing in Sessions Case No. 166 of 2018.

[N. J. JAMADAR, J.]