

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1706 OF 2026**

Ritesh Dharampal Hanswani ... Petitioner

Versus.

The State Of Maharashtra And Anr. ... Respondents

Mr. Satyavrat Joshi, through VC a/w Indrayanee Pandit and Shivani Kondekar, for the Petitioner.

Mr. Ameet Palkar, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 15th April, 2026.

P.C. :

1. This proceeding is recorded in accordance with the decision of this Court in Hema Suresh Ahuja & Ors v. State of Maharashtra & Anr¹, as the subject matter pertains to an offence under the SC/ST Act.

2. At the outset, Mr. Satyavrat Joshi, learned Advocate for the Petitioner, states that during the pendency of the Petition, chargesheet was filed. He therefore seeks leave to amend the Petition by incorporating grounds to challenge the chargesheet and

¹ (2024) SCC OnLine Bom 784

by placing the chargesheet on record. The request made by Mr. Satyavrat Joshi is not objected to by Mr. Ameet Palkar, learned APP for the Respondent – State. In view of the no objection by Mr. Ameet Palkar, learned APP, leave is granted to carry out the amendment to the Petition and to place the chargesheet on record. Mr. Satyavrat Joshi, learned Advocate for the Petitioner, states that the amendment will be carried out forthwith and the chargesheet will also be placed on record. Permission granted.

3. Heard Mr. Satyavrat Joshi, learned Advocate for the Petitioner. He, by referring to the FIR bearing No. 0257 of 2025 (“impugned FIR”), more particularly to paragraph 3(a), states that the date of occurrence of the offence is stated to be 01.01.2025. To clarify, he states that the column in question refers to an offence occurring on Wednesday from 01.01.2025 to 01.01.205. By referring to the contents of the impugned FIR, he states that there is a reference to the offence being committed in the month of January, 2025. He submits that the Applicant was not in India on the date the offence is alleged to have occurred (i.e., 01.01.2025). He refers to the Applicant's visa entry in Annexure–H (page 259 of

the Petition paper book), the immigration stamp on the said document, which shows that the Applicant departed on 26.12.2024, and the exit stamp dated 02.01.2025 from Malpensa Airport, Italy. He refers to ground 5(E) in support of the said contention. To sum up, he submits that the Petitioner was not in India and from the face of the allegations, has been falsely implicated in the crime. He therefore prays for interim orders in the present Petition.

4. Issue notice to the Respondents, returnable on 17.06.2026.

5. Mr. Ameet Palkar, learned APP waives service of notice on behalf of Respondent – State.

6. Considering the submissions of Mr. Satyavrat Joshi, learned Advocate for the Petitioner and the specific ground in paragraph No. 5 (E) of the memo Petition, a prima facie case is made out for the grant of interim reliefs. Till the returnable date (i.e. 17.06.2026), the further proceedings in Special Case No. 75 of 2026, pending on the file of the District Judge 03 and Additional Sessions Judge, Nashik, shall remain stayed.

7. Spare copy of the Petition be filed in the Registry of this Court within 10 days from today for issuance of notice to Respondent No. 2.

(ASHWIN D. BHOBE, J.)

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