



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 CRIMINAL APPLICATION NO.3134 OF 2019

YOUSEF YAKUB LONDHE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. A.D. Ostwal, Advocate for applicants

Mr. V.K. Kotecha, APP for respondent No.1

Mr. K.P. Jadhav, Advocate for respondent Nos.2 and 3

...

CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 22nd SEPTEMBER, 2025

ORDER :

. Learned APP informs that cognizance of the matter has been taken by the trial Court.

2 In view of **Pradnya Pranjal Kulkarni vs. The State of Maharashtra and another** in Petition(s) for Special Leave to Appeal (Cri.) No.13424 of 2025 decided by the Hon'ble Supreme Court on 03.09.2025 learned Advocate for applicants seeks leave to amend. However, he expresses that taking into

consideration the decision in **Pradnya Kulkarni** (supra) the matter will not lie before the Single Bench of this Court and this submission has come from him by taking note of the order of co-equal Bench at Principal Seat in **Zain Shroff vs. The State of Maharashtra and another** in Criminal Writ Petition No.3901 of 2021 dated 11.09.2025, wherein taking into consideration the decision in **Pradnya Kulkarni** (supra), the Appellate Side rules of this Court, it has been observed that -

“12 The learned Counsel for the Petitioner is pressing this Petition also under Section 482 of Cr.P.C. Therefore, for the sake of consistency it is necessary that the matters claiming similar relief under Section 482 of Cr.P.C., under Section 528 of BNSS or under Article 227 of the Constitution are placed before one particular bench to avoid inconsistency of placing the matters in the same category before different benches. Since as mentioned earlier, the Single Judge’s roster specifically mentions Section 482 of Cr.P.C. and Section 528 of BNSS, this Petition shall be placed before the appropriate Single Judge Bench by the registry.”

3 Learned Advocate for applicants places reliance on paragraph No.9 of the decision in **Pradnya Kulkarni** (supra) and submits that even taking into consideration the decision in **Pradnya Kulkarni** (supra) and Appellate Side rules the matter would lie before the Division Bench.

4 We would like to hear these submissions in detail, however, it may depend upon the amendment that would be carried out and, therefore, we direct applicants to carry out the amendment first i.e. on or before 24.09.2025 and copy of same be given to other side, in advance.

5 Place the matter for submissions on 25.09.2025.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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