

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

SUO MOTO WRIT PETITION NO.1 OF 2026

The High Court on Its Motion

....Petitioner

Versus

Ramesh Sukrya Mhatre and Ors.

....Respondents

**ALONG WITH
INTERIM APPLICATION (ST) NO.15791 OF 2026
IN
SUO MOTO WRIT PETITION NO.1 OF 2026**

Mr. Ashok Mundargi, Senior Advocate, Amicus Curiae a/w.
Mr. Niranjan Mundargi.

Mr. Aabad Ponda, Senior Advocate i/b. Mr. Sameer Nangare,
Mr. Vishal Acharya, Ms. Srushti Bhatuse, Mr. Malhar Purohit and
Mr. Suraj Nangare for Respondent No.1.

Ms. Sana Raees Khan a/w. Mr. Aditya Singh for Respondent Nos.2
to 4.

Mr. Shishir Hiray, CPP a/w. Mr. Kumar Saste, Addl. PP, Ms. Rasika
Satone, Mr. Sanjay Kokare, Mr. Krishna Jawar, Mr. Shubham Joshi,
Mr. Devavrat Hiray and Mr. Ankit Patil for Respondent No.5.

Mr. S.U. Kamdar, Senior Advocate a/w. Mr. Chirag Kamdar and
Mr. Kausav Dev i/b. Nahush Shah Legal for Respondent No.6.

Mr. Sandeep Dilip Shinde a/w. Ms. Rutuja Jhagade for Respondent
No.7.

Mr. Vivekkumar Nishad a/w. Mr. Abhinay Adsul, Mr. Shreeram
Chindarkar and Mr. Gautam Tiwari for Intervenor/First Informant.

Mr. Ganesh Nagargoje, Applicant in Interim Application No.15791
of 2026.

Mr. Ram Chopde, Senior PI, Vishnunagar Police Station present.

**CORAM : RAVINDRA V. GHUGE, ACJ.
&
GAUTAM A. ANKHAD, J.**

DATE : 7th AUGUST, 2026

P.C. :-

1. This matter was heard extensively yesterday where we have made notings of the concluding submissions of the parties and the conditions that can be imposed upon all the Accused for modifying the impugned bail order. Since the hearing continued beyond Court working hours, by consent of the parties, we listed this Petition today to enable the parties to conclude their oral submissions and submit the notes of their suggestions, if desired.

2. We do not propose to elaborate on the factual background in this order keeping in view of our orders dated 18th July, 2026, 22nd July, 2026 and 27th July, 2026. We are adverting to the said orders for reference purposes.

3. In a democracy, the principle is that, an elected representative/people's representative is by the people and for the people. If the elected representative is accused of assaulting his own voters, such a situation is bound to dent the fabric of democracy in this country and erode public confidence. Our earlier orders dated 18th July, 2026 and 22nd July, 2026 contain the submissions of the parties which are based on certain pieces of evidence which will

now have to be proved in trial. We would, therefore, refrain from dealing with those aspects of this case and confine these proceedings to the issue of whether the bail order could have been said to be justified in the manner in which it has been passed.

4. We have dealt with the aforestated issue at length in our order dated 18th July, 2026. A cursory glance at the orders granting bail dated 14th July, 2026 and 17th July, 2026 by the learned Magistrate, has been dwelled upon in the order dated 18th July, 2026. We have assigned reasons in our order dated 18th July, 2026 for staying the impugned orders *suo moto*.

5. In the above backdrop, the learned Amicus Curiae as well as the learned Government Pleader submit that the following aspects need to be taken into consideration with reference to the peculiar case, such as the one, which is before us today :

- (a) This case be transferred to the Fast-Track Court at Kalyan in Thane District;
- (b) It is assured that the voice samples, CCTV footage, photographs, etc., forming part of the investigation will now be sent to State Forensic Science Laboratory, Kalina Campus, Mumbai, for analysis

within three working days, latest by Monday, i.e., 10th August, 2026;

- (c) The Forensic Laboratory be directed to expedite the process of analyzing all these samples/pieces of evidence and a report be submitted within 10 working days;
- (d) The State will appoint a Special Public Prosecutor for this matter within 10 working days;
- (e) After receiving the test results from the Forensic Laboratory, a chargesheet would be filed within 5 working days in the Trial Court;
- (f) A direction be issued to the Trial Court to frame the charges within 7 working days from the date of filing of the chargesheet;
- (g) The Prosecution as well as the Defence be directed to render full co-operation to the Trial Court and refrain from seeking adjournments on unreasonable and trivial grounds, leaving it open to the Trial Court to deal strictly in situations where unnecessary adjournments are sought;
- (h) Statements of three more witnesses will be recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 before 11th August, 2026.

6. The learned Senior Advocate Mr. Ponda representing Accused No.1 and Ms. Khan representing Accused Nos.2 to 4 jointly submit that the Accused are willing to abide by such conditions that this Court may deem appropriate to be imposed on them to ensure a fair and speedy trial. They submit that all the Accused have already tendered the details of their place of residence outside the State of Maharashtra until the investigation is complete and the chargesheet is filed. The same are as under :

<i>Accused No.</i>	<i>Address</i>	<i>Telephone No.</i>	<i>Local Police Station</i>
Accused No.1	Nazri Resort and Lawns, Near Tito's Lane, Saunta Vaddo, Baga, Calangute, Goa – 403 516	(i) Ramesh Mhatre : 9702990999 (ii) Vishal Mhatre : 8097913863	Anjuna Police Station, opposite Children's Park, Anjuna, North Goa – 403 509
Accused Nos.2 to 4	Nazri Rest House, Anjuna, Goa-403 509	Kiran Aglave : 7350082718	Anjuna Police Station

7. The learned Senior Advocate Mr. Mundargi and Mr. Kamdar jointly submit that though all the Accused, in the facts and circumstances of this case, could be kept in custody for longer duration, especially considering the record of offences alleged to

have been committed by Accused No.1, which are 18 in number and since the remaining Accused have been involved in commission of several offences, this Court may nevertheless modify the impugned bail orders by imposing stringent conditions as may be appropriate.

8. In view of the above and considering the time spent in custody by the Accused and keeping in view that substantial progress has been made in the investigation and that the forensic analysis shall be completed shortly, we deem it appropriate to modify the impugned orders granting bail dated 14th July, 2026 and 17th July, 2026 as under :

- (i) The condition of executing Personal Bond set out in clause (2)(i) to (iv) of the impugned orders and the associate conditions, shall continue to operate;
- (ii) All Accused shall reside outside the State of Maharashtra until the trial commences;
- (iii) Accused No.1 and Accused Nos.2 to 4 shall be residing at the addresses and at all times, be available on the telephone numbers mentioned in paragraph no.6 above;
- (iv) All the Accused shall report to Anjuna Police Station, opposite Children's Park, Anjuna, North Goa – 403 509 on every Tuesday, Thursday and Saturday between 11.00 a.m. to 1 p.m. The Station House Officer shall

record the attendance of the Accused in the Station Diary and counter sign the same;

- (v) During trial, none of these Accused shall, directly or indirectly, try to contact, influence or intimidate any of the victims or the witnesses or their any other relatives, friends;
- (vi) After the trial commences, beginning from the stage of framing of charges, the Accused will be permitted to enter Maharashtra and reside at their addresses which are their normal place of residence. During their stay on these addresses, they would continue to keep themselves away from the witnesses, victims or their friends, relatives, etc.;
- (vii) The Accused shall report every Wednesday between 11.00 a.m. to 1 p.m. before the DCP, Zone – 3, Vishnunagar Police Station at Kalyan. The Accused shall mark their individual attendance in the Station Diary with the Station House Officer counter signing each of such entries;
- (viii) All Accused shall surrender their passports to the concerned Magistrate prior to their release;
- (ix) None of the Accused would involve themselves in the commission of any further offences of any nature whatsoever;
- (x) All Accused shall co-operate in the trial and shall not

seek adjournments on frivolous grounds. If the trial Court deems it appropriate, the timelines mentioned subsequently for trial would be followed, except in such circumstances for which the Accused may assign reasons to be considered by the Magistrate on their own merits;

- (xi) In the event any of the Accused is unable to attend trial on any particular date on account of unavoidable circumstances, they shall ensure that a proper application is moved before the Magistrate for seeking permission to appear through the video conferencing mode. However, this would not be by way of a routine course.

9. We are issuing further directions in order to ensure that the case is put on a Fast-Track mode and the trial is expedited, as follows :

- (a) The Registry of this Court shall assign this case to a particular Judge, who shall deal with the same on a Fast-track mode. Let such decision be taken on the administrative side within 7 working days from today;
- (b) The State shall appoint a Special Public Prosecutor with sufficient experience within 15 working days from today;
- (c) The State Forensic Science Laboratory will ensure that the forensic analysis report of voice samples, CCTV

footage, photographs, etc., as may be tendered to the Forensic Laboratory for analysis, are delivered to the Investigating Officer within 15 working days from today;

- (d) The Investigating Agency shall continue and complete all remaining aspects of the investigation simultaneously while awaiting the Forensic reports;
- (e) Within 10 working days from the receipt of the reports from the Forensic Laboratory, the chargesheet shall be filed in the trial Court. The trial Court shall proceed to frame charges within 5 working days thereafter. The trial Court shall endeavour to dispose off the entire case within 3 months from the time the charges are framed by it;
- (f) The victims are at liberty to request the learned Magistrate for further investigation, if circumstances so warrant;
- (g) The State Government shall not change the Special Public Prosecutor without the leave of the Court;
- (h) The State Government shall ensure that adequate police protection is granted to the victims and the witnesses whenever required during the investigation or the trial;
- (i) In the event of breach of any of the above bail conditions, it shall be the duty of the Investigating

Officer, viz., Deputy Commissioner of Police, to forthwith bring this aspect to the notice of the trial Court and take steps for cancellation of bail.

10. The learned Advocate for the KDMC submits, on instructions, that no disciplinary action shall be taken against any of the victims or witnesses, who is unable to attend work due to the untoward incident of 6th July, 2026 and the follow-up events of 7th July, 2026 and 8th July, 2026. It is also assured that KDMC, as an Employer, will ensure that adequate protection is given to the victims and witnesses of the incident as long as the threat perception exists.

11. We are listing this Petition only to oversee the progress being made in the light of the aforestated statements that have been recorded in the earlier orders as well as in this order, on **11th September, 2026.**

12. In the meanwhile, State Government and KDMC shall file their replies to the Intervention Applications filed by the Indian Medical Association, who have suggested certain steps to ensure safety and protection of Doctors and Medical Staff serving in Government as well as private Hospitals.

13. We record our deep appreciation for the valuable assistance rendered to the Court by the learned Amicus Curiae, Senior Advocate Mr. Ashok Mundargi. We request him to continue assisting this Court until this Court finally disposes off the *Suo Moto* Criminal Writ Petition.

(GAUTAM A. ANKHAD, J.) (ACTING CHIEF JUSTICE)