

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1235 OF 2019

Amit Mepani son of Shri. Dhanji K. Mepani ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

ALONGWITH
CRIMINAL INTERIM APPLICATION NO. 468 OF 2022

Amit Dhanji Mepani ...Petitioner
Versus
The State of Maharashtra and Anr. ...Respondents

Mr. Laxman Kalel for the Petitioner.

Mr. A.R.Kapadnis, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.
DATE : 29th JULY, 2022

P.C. :

1. By this petition, the petitioner seeks a direction to the respondent No.2 – Senior Superintendent of Police, Mumbai, and respondent No.3 – Station House Officer, Chiragnagar Police Station, Mumbai, to register a case as against the accused – Bhaskar Upadhyay and Tilak Poladiya, under the provisions of the Maharashtra

Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013. It is further prayed that the accused persons be directed to remove the effect of black magic on the petitioner.

2. Perused the papers with the assistance of the learned Counsel for the petitioner and the learned APP for the State.

3. It appears that the petitioner has earlier filed similar petitions in this Court i.e. since 2010 seeking similar reliefs. Learned Counsel for the petitioner has tendered the orders before this Court. He, however, submits that the said orders were passed when the Black Magic Act was not in force i.e. prior to 2013. Infact, a perusal of the orders show that similar prayers, as sought for, by the petitioner in the present petition, were made in the writ petition filed by the petitioner in 2015, which was dismissed by this Court vide order dated 13th August, 2015.

4. In the present petition, the petitioner is again seeking a similar relief as sought for in the earlier petition. The petition is bereft of facts, as to how and when the incident had taken place. We may note that similar petitions seeking similar reliefs were filed by the petitioner since 2010, i.e. seeking police action against the same persons, as sought for in the present petition. The same has been dismissed by this Court by different orders.

5. Considering the aforesaid, there is no merit in the aforesaid petition. The petition is dismissed and is accordingly disposed of.

6. In view of the dismissal of the aforesaid petition, nothing survives for consideration in the interim application. The same also stands disposed of.

SHARMILA U. DESHMUKH, J.

REVATI MOHITE DERE, J.