

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.1541 OF 2020

Sheetal Devang Shah ... Petitioner
Vs.
Union of India and others ... Respondents

Ms. Sheetal D. Shah, Petitioner in person.
Mr. D. P. Singh for Respondent No.1-UOI.
Ms. S. D. Shinde, Additional Public Prosecutor for Respondents-State.

**CORAM : S. S. SHINDE &
REVATI MOHITE DERE, JJ.**
DATE : APRIL 08, 2022

P.C. :

. By this petition, the petitioner, who appears in person, seeks the following substantive reliefs:

2. Prayer clause (A) reads as under:-

“A) Issue Writ of Mandamus to the Respondent no.1, The Secretary, Department of Justice & Respondent no.2, The Director of CBI to grant appointments to the Petitioner within 2 weeks time upon receiving applications from the Petitioner either directly or through the Respondent’s Representatives in Mumbai. The Respondents are directed to take applications /representations from the Petitioner, a litigant in person and to take the necessary action in the interest of Justice. The Petitioner is granted liberty to pursue these orders in the interest of Justice after the completion of her pending cases in the State of Maharashtra.”

2.1. The petitioner submits that such a direction is necessary in order to safeguard the honour and dignity of the judiciary.

2.2. The prayer is vague. Such directions as sought cannot be issued.

Hence, the said prayer is rejected.

3. Prayer clause (B) reads as under:-

“B) In accordance with the Urgent and expedited Supreme Court orders and the orders passed by the Hon’ble Chief Justice of Bombay High Court in single Jurisdiction capacity, **Immediate Orders be passed for the Cancellation of all orders** passed in the State of Maharashtra from the 13th of July 2020 till date in all of the Petitioner’s pending cases **Except for** the Hon’ble Chief Justice of the Bombay High Court’s orders in Single Jurisdiction capacity **and Except for** the Orders passed by the Assigned Division Bench of Hon’ble Justice Shri S. S. Shinde and Hon’ble Justice Smt. Revati Mohite Dere in the matter of the Criminal Writ Petition no.1541 of 2020 which is the Supreme Court Writ petition for which the Urgent Orders have been passed for the Appropriate Hon’ble Division Bench of Hon’ble Justice S. S. Shinde and Hon’ble Justice Smt. Revati Mohite Dere to hear the Criminal Writ Petition 1541 of 2020 including to take urgent appropriate corrective administrative measures. All pending cases of the Petitioner in the State of Maharashtra are to be taken up after the Criminal Writ Petition no 1541 of 2020 is completely heard, orders passed, urgent appropriate corrective administrative measures are taken and the cases is disposed off to pave the way ahead for the pending cases of the Petitioner to be heard altogether in the Bombay High Court.”

3.1. Such a direction, as sought for, cannot be granted. It is always open for the petitioner to challenge the orders passed against her in pending proceedings in accordance with law. Hence, prayer clause (B) is rejected.

4. Prayer clause (C) reads as under:-

“C) Issue Writ of Mandamus for an SIT team of IPS Police Officers to be appointed to conduct a 3 week Time bound Court Monitored probe into the matter of crimes done against the Petitioner based on her factual representation which she will submit to the SIT team. The SIT team to have the following IPS Police Officers within the SIT team : **IPS Police Officer Shri Sanjay Barve, IPS Police Officer Shri Sanjay Pandey, IPS Police Officer Shri Ashutosh Dumbare, IPS Police Officer Shri Atul Chandra Kulkarni, IPS Police**

Officer Shri Ritesh Kumar and IPS Police Officer Shri Nair.

A one time blanket cover of protection is granted to all Registry and Judicial staff of the Hon'ble Judiciary system who might have been embroiled in any of the Petitioner's matters due to some pressures and coercion being faced by them. They are given a single chance to turn approvers and the one time blanket protection will cease for the Officer in the event of the officer not wanting to turn approver and wanting to support criminal activities and wanting to shield the original criminals who have been doing grave crimes against the Honour and Dignity of the Hon'ble Judiciary. The SIT team is to ensure that the Registry and Judicial staff is granted a one time opportunity to turn approver."

4.1. The aforesaid prayer cannot be granted as the same is completely misconceived and hence, the same is rejected.

5. Prayer clause (D) reads as under:-

"D) The SIT is to grant an urgent appointment to the Petitioner to be held in the Office of the Hon'ble Commissioner of Police within 2 working days of the orders being passed with all officers of the team being present to ensure speedy investigation is initiated into the grave crimes done upon the Petitioner. The Registrar General of the Bombay High Court is directed to reach the orders to the Hon'ble Commissioner of Police, Mumbai and a copy be given to the Petitioner. The Petitioner is granted liberty to personally submit her application for the appointment to the Hon'ble Commissioner of Police. The Petitioner is to submit a representation to the SIT team and she is granted liberty to file further additional applications before the SIT team to bring forth facts of crimes done against her. The SIT team is to urgently and expeditiously initiate investigation into the grave crimes done against the Petitioner as soon as the first Representation is received from the Petitioner. The Representations of the Petitioner which have been handed over to the SIT team are to be submitted by the Petitioner to the Hon'ble Bombay High Court in the matter of Criminal Writ Petition no.3402 of 2019 as this Criminal Writ Petition no. 1541 of 2020 will be disposed with the orders being passed for the SIT team being appointed. The

investigation and necessary action report of the SIT is to be submitted to the Bombay High Court in English into the matter of Criminal Writ Petition No.3402 of 2019 and to be signed by **ALL** the above named IPS Police Officers of the SIT which will ensure that they all have been in sync and coordination and have been a part of the Court Monitored investigation and necessary action being taken into the matter of crimes done against the Petitioner. A copy of the Investigation and necessary action report be given to the Petitioner 4 days prior to the hearing for her to submit her say for further action needed or her Affidavit of satisfaction that the crimes have been investigated into and the matters of Criminal Writ Petition 3402 of 2019 can be closed thereafter. All the IPS Police Officers of the SIT team should be present during the hearing of the Criminal Writ Petition no.3402 of 2019 when the investigation and necessary report is being submitted by the SIT to the Hon'ble Bombay High Court. All the above named IPS Police Officers are to be stationed in the State of Maharashtra and not to be transferred out of the State of Maharashtra till the investigation and necessary action report is submitted by the SIT team to the Hon'ble Bombay High Court in the matter of Criminal Writ Petition no.3402 of 2019, till the Criminal Writ Petition no.3402 of 2019 Is ongoing and till the Petitioner has submitted her affidavit that the investigation and appropriate necessary action has been taken by the SIT team to curb the crimes which have been done against her as mentioned in her representations and that the Criminal Writ Petition no.3402 of 2019 can be closed.”

5.1. Since prayer clause (C) has been rejected, the question of considering prayer clause (D) does not arise. From a perusal of the said prayer clause, it is evident that no specific details have been given. Hence, prayer (D) is rejected.

6. Prayer clause (E) reads as under:-

“E) The Petitioner be given **immediate Free Armed** Protection by the Army as per the Petitioner's requirements as the Petitioner has gone against several corrupt High Ranked Police Officers and hence her protection cannot be covered any

longer by the Police for the obvious threat of being murdered which would ensure that her grievances and complains get buried permanently. The Petitioner is granted liberty to directly submit her application seeking protection as per her requirements to any Army Unit stationed in Mumbai. The Army Officer who receives the Application is directed to immediately and expeditiously, on the same day, place the Application before the Highest Ranked Army Officer stationed in Mumbai who is being given charge of the Protection of the Petitioner by the orders of this Hon'ble Court. The Registrar General of the Bombay High Court is directed to communicate the orders to the Highest ranked Army officer stationed in Mumbai and a copy be given to the Petitioner. The Highest Ranked Army Officer stationed in Mumbai City is directed to ensure that the Armed Indian Army Protection is initiated for the Petitioner on the same day as the Application being received from the Petitioner or the correspondence being received from the Registrar General of the Bombay High Court."

6.1. The said prayer cannot be granted. Hence, rejected.

7. Prayer clause (F) reads as under:-

"F) The Petitioner's protection cover at no cost by the Indian Army to continue till she gives on affidavit to the Registrar General of the Bombay High Court that she wants the Protection cover to be stopped and a copy to the Army Officer."

7.1. In view of rejection of prayer clause (E), prayer clause (F) does not survive. Hence, the same is rejected.

8. Prayer clause (G) reads as under:-

"G) A one time compensation amount of Rs.75 Lakhs be levied upon the State of Maharashtra to be paid to the Petitioner immediately within 2 days time for the mental duress, physical torture and the unjustifiable delay in justice accompanied by the defiance on the part of several officers who refused to

execute the Hon'ble Court orders which have resulted in the Petitioner almost losing her life several times. Had the Petitioner not been able to reach the doors of the Supreme Court due to the severe financial constraints and health reasons, she would have never seen the dawn of Justice in her life as several corrupt Police Officers were not abiding by Hon'ble Orders issued by the Hon'ble Courts. Several Corrupt Police Investigating Officers were trying to fraudulently turn the Petitioner into a criminal in the eyes of the law due to them being heavily bribed by a group of wealthy Criminals. The Petitioner has suffered much during these last 4 brutal years as she was facing a swarm of corrupt Police officers, who were ready to do illegal activities for their greed for money. The State of Maharashtra needs to be levied the one time charge for destroying over 4 priceless precious years of the Petitioner which will never come back."

8.1. The said prayer clause cannot be granted for want of material particulars / details. Hence, rejected.

9. Prayer clause (H) reads as under:-

"H) All the orders passed by the Hon'ble Bombay High Court, Family Court and Lower trial courts be executed by the Court Receiver of the Hon'ble Bombay High Court within 5 days time of the Application being received from the Petitioner. The Court receiver is to take the help of the Sheriff or/and the Police Officers of the SIT team as the need and requirement for the orders to be executed. The Distress Warrant orders passed on 17th of October 2019 have not been executed till date despite it being over 2.5 years, despite Hon'ble Bombay High Court orders, despite the Hon'ble Family court orders and despite the Orders passed by the Commissioner of Police, Mumbai and the Hon'ble DGP of Maharashtra. Hence the Court receiver of the Hon'ble Bombay High Court is appointed as Chief Executioner for all the Hon'ble Orders conferred upon the Petitioner. The Petitioner is granted liberty to approach the Registrar General of the Bombay High Court or the Prothonotary and Senior Master of the Bombay High Court seeking their help to ensure the Court receiver executes the orders within 5 days of the application being submitted to the Court receiver of the Bombay High Court."

9.1. The said prayer cannot be granted inasmuch as there are no details have been set out. It is always open for the petitioner to approach the appropriate Court for execution in accordance with law. As far as the proceedings pending before the Family Court are concerned, it is not in dispute that the writ petition filed by the petitioner is dismissed for want of prosecution and the restoration application filed by the petitioner is pending. Hence, the said prayer is rejected.

10. Prayer clause (I) reads as under:-

“I) All pending Legal cases of the Petitioner, filed by her or against her in the State of Maharashtra are to be expeditiously heard altogether in the Hon’ble Bombay High Court, the list whereof shall be furnished by the Petitioner to the Registrar General of the Bombay High Court as per the orders of the Hon’ble Supreme Court of India. The Registrar General is assigned the responsibility that the pending cases are expeditiously brought safely to the Hon’ble Bombay High Court within 2 days time of the list being furnished to the Registrar General of the Bombay High Court. The Case numbering is to remain the same. The Petitioner is directed to give the list and order of the cases to be heard and the specific Exhibit numbers of the Applications within the cases that she is wanting to be heard and which she is seeking to be “Not Pressed”. The Registrar General of the Bombay High Court to ensure that the Cases and Exhibits are placed for the hearings before the Hon’ble Bench in accordance with the preference of the Petitioner. **All false litigation cases filed against the Petitioner are to be immediately dismissed by the Registrar General of the Bombay High Court OR the Registrar Judicial I & II OR The Prothonotary and Senior Master OR by the Registry officers deciding jointly which would ensure that the valuable time of the Hon’ble Judiciary is safeguarded and false litigation cases are not placed for hearing before the Hon’ble Bench.** All orders concerning Mrs Sheetal Shah in False Litigation Cases filed against her are to be immediately removed from the Online Court Portals.

The Hon'ble Court is humbly requested to pass immediate and strict orders that private internet portals / private internet sites / media are not allowed to publish / advertise any legal orders concerning Mrs Sheetal Shah and which are being circulated on Private Internet Portals / Private Internet Sites or any other media platforms. The orders being circulated have caused much harm to Mrs Sheetal Shah and her Family's Reputation.

The legal orders passed in the legal cases can be only visible on the Hon'ble Court online sites and are not allowed to be published or made available on private online sites or on private internet portals or any other media platforms.

The SIT team and the Registry Officers are directed to ensure this order is complied with immediate effect and no leniency will be shown to any media house or any private internet site or any private internet portal if any defiance is shown against these issued Court orders."

10.1. The said prayer cannot be granted and hence rejected.

11. Prayer clause (J) reads as under:-

"J) The Petitioner is granted liberty to mention the Pending Applications to be heard before the Hon'ble Division Bench upon which the Hon'ble Chief Justice of the Bombay High Court has passed orders for the Registry to place the Applications before the Hon'ble Division Bench. The Petitioner is granted liberty to submit an amended collective summary of prayers for all her pending applications in her mentioning praecepi in the interest of justice."

11.1. The said prayer is vague and therefore, cannot be granted. Hence, prayer (J) is rejected.

12. Prayer clause (K) reads as under:-

"K) With these above orders and directions passed, this Criminal Writ 1541 of 2020 be disposed off by the Hon'ble Division Bench of Hon'ble Justice Shri S. S. Shinde and Hon'ble Justice Smt Revati Mohite Dere to pave the way ahead for the other pending matters of Mrs Sheetal Shah to be heard

“In Camera Proceedings” in the Hon’ble Bombay High Court from the 31st of March 2022 everyday from 3.30 pm onwards and to be completed latest by the 30th of April 2022 in the Hon’ble Bombay High Court before the Hon’ble Division Bench headed by the Hon’ble Chief Justice of the Bombay High Court along with the assigned Bench of Hon’ble Justice Shri S. S. Shinde and Hon’ble Justice Smt Revati Mohite Dere. **In accordance with the prayers already present within the petitioner’s original Criminal Writ Petition 175 of 2020 to ensure that there is no pressure upon the Hon’ble Division Bench,** the Petitioner is humbly praying that if the Hon’ble Division Bench deems it appropriate, then the pending matters be heard by the Hon’ble Division Bench headed by the Hon’ble Chief Justice alongwith Hon’ble Justice Shri S. S. Shinde and Hon’ble Justice Smt Revati Mohite Dere alongwith the maximum number of the following Hon’ble Justice’s to hear the matters. Retired Hon’ble Chief Justice Shri Naresh Patil, Retired Hon’ble Chief Justice Shri B. P. Dharmadhikari, Retired Hon’ble Justice S. C. Dharmadhikari, Hon’ble Justice Smt Bharati Dangre, Hon’ble Justice Shri Kotwal, Hon’ble Justice Shri Borkar, Hon’ble Justice Shri Badar, Hon’ble Justice Shri Dighe, Hon’ble Justice Shri Ladha

The Registrar General be directed to send the Requests to the Hon’ble Justice’s and to ensure that the arrangements are made in accordance as per the number of the Hon’ble Justice’s who can give their precious time for the hearing of the matters. The hearings to continue before the Hon’ble Division Bench headed by the Hon’ble Chief Justice of the Bombay High Court alongwith Hon’ble Justice Shri S. S. Shinde and Hon’ble Justice Smt. Revati Mohite Dere with or without the presence of the above named Hon’ble Justice’s if they are having other commitments. This prayer is being put so that no pressure comes upon the Precious Hon’ble Division Bench of the Hon’ble Chief Justice of the Bombay High Court, Hon’ble Justice Shri S.S.Shinde and Hon’ble Justice Smt. Revati Mohite Dere and in the interest of Justice.

The Registrar, the Registrar General, the Prothonotary and Senior Master and the Registrar Judicial I & II are to be directed to remain present during the hearings of the pending cases to assist the Hon’ble Comprising Bench to ensure that the Hearings proceed smoothly and to safeguard the precious time of the Hon’ble Comprising Bench. The Registrar of the Maharashtra State Legal Services Authority is requested to remain present to ensure that assistance is given to the

Petitioner during and after the hearings as the Petitioner is a litigant in person and might need assistance to proceed further expeditiously and in order to save the valuable time of the Hon'ble Comprising Division Bench. The Petitioner will continue to be in person unless she puts forth her request for a Pro bono Senior Counsel to be appointed to present her specified cases. The Registry Officers are requested to immediately and expeditiously help, assist and guide the Petitioner whenever she puts forth her urgent and expedited Applications in the interest of Justice. The Petitioner is granted liberty to approach the Hon'ble Bombay High Court before the Hon'ble Chief Justice of the Bombay High Court or before any Hon'ble Justice of the Bombay High Court to place her Urgent application with any grievances."

12.1. The said prayer is vague and cannot be granted. Hence, rejected.

13. Prayer clause (L) reads as under:-

"L) With these above orders and directions passed, this Criminal Writ 1541 of 2020 be disposed off The Hon'ble Court is humbly requested to pass further orders as the Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

13.1. The said prayer is also vague, hence rejected.

14. At this stage, learned APP states that the petitioner has lodged five cases till date. She has given the details and status of the said cases. The same are reproduced hereinunder;

Sr. No.	C.R.No., Police Station and under Sections	Current status
1	CR No.161/2018, registered with the Juhu Police Station, Mumbai under Sections 498-A, 509, 506(2), 323, 504, 34 IPC, registered on 06.04.2018.	Charge sheet is filed before the learned Metropolitan Magistrate, 10 th Court, Andheri, Mumbai on 15.12.2020 vide Court Case No.2124/PW/2020.

2	CR No.462/2018 registered with the Juhu Police Station, Mumbai under Sections 323, 504, 506, 341, 342, 498-A, 467, 468, 471, 504 IPC and U/s. 66(E) of Information and Technology Act registered on 30.09.2018.	Charge sheet is filed before the learned Metropolitan Magistrate, 10 th Court, Andheri, Mumbai on 15.12.2020 vide Court Case No.2123/PW/2020.
3	MECR No.06/2018, registered with the Juhu Police Station, Mumbai under Sections 324, 465, 467, 468 IPC registered on 08.09.2018.	“B” Summary Report is filed before the learned Metropolitan Magistrate, 10 th Court, Andheri, Mumbai on 24.01.2022 vide Court Case No.349/MISC/2022 and the said case is pending before the learned Court.
4	CR No.544/2018, registered with the Juhu Police Station, Mumbai under Sections 324, 504 IPC.	Final Report was submitted before the learned Metropolitan Magistrate, 10 th Court, Andheri, Mumbai on 01.06.2020 vide Court Case No.183/MISC/2020.
5	CR No.554/2018, registered with the Andheri Police Station, Mumbai under Sections 464, 465, 466, 468, 471, 420, 34 IPC.	Final Report was submitted before the learned Metropolitan Magistrate, 65 th Court, Andheri, Mumbai on 20.10.2020 vide Court Case No.403/MISC/2020.

15. It is always open for the petitioner to file protest petition / take appropriate steps, in accordance with law, in cases at Sr. Nos.3 to 5.

16. Considering what is stated aforesaid, nothing survives for further consideration in this petition. Writ Petition is dismissed.

17. All parties to act on an authenticated copy of this order.

(REVATI MOHITE DERE, J.)

(S. S. SHINDE, J.)