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

**WRIT PETITION NO.1080 OF 2022
WITH
INTERIM APPLICATION NO.10491 OF 2022**

Gopal Kashiram Tawde

..... Petitioner

Vs.

State of Maharashtra and Ors.

..... Respondents

Ms.Savita A. Prabhune for the Petitioner

Ms.P.N.Diwan, A.G.P. for the State

**CORAM: S.V. GANGAPURWALA &
SANDEEP V. MARNE, JJ.**

DATED : JULY 20, 2022

P.C.

1 Under the present petition, the Petitioner seeks compensation of Rs.Fifty Crore (Rs.50,000,0000/-) on the ground that there are some false cases filed against the Petitioner. The Petitioner has moved for quashing. The same are pending. Compensation is also sought on the ground that there is delay in deciding the said cases.

2 We have heard the learned counsel appointed through legal

aid. It is not disputed that criminal cases filed are still pending against the Petitioner. Application of the Petitioner for quashing / discharge are also pending before the court. It would be pre-mature to entertain the prayer made by the Petitioner seeking compensation of Rs.50 crores.

3 In case the Petitioner is acquitted or discharged from the criminal case, then in that case, Petitioner can file suit for damages on the ground of malicious prosecution.

4 In the present Writ Petition, it would not be possible to entertain the prayer of the Petitioner for compensation. Petitioner may make prayer before the appropriate court for expeditious disposal of the proceedings against him. If the Petitioner is honourably acquitted or cases against the Petitioner are dismissed then in that case, Petitioner may avail the remedy seeking damages on account of malicious prosecution as may be permissible under the law.

5 With these observations, Writ Petition and Interim Application are disposed of.

(SANDEEP V. MARNE, J.)

(S.V. GANGAPURWALA, J.)