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

CRIMINAL WRIT PETITION NO. 4727 OF 2019

Dadasaheb Gorakh Chavan

.. Petitioner

Vs.

1. The State of Maharashtra

2. The Superintendent of Police,
Solapur Rural.

3. The Zilla Police Saurakshan Samiti

4. The Police Inspector, Karkamb
Police Station, Solapur

5. The District Collector, Solapur

.. Respondents

....

Mr. Anand S. Patil for the petitioner

Mrs. P.P. Shinde, APP for the respondent – State

Mr. Nilesh Eknath Gaikwad, PSI, Karkamb Police Station,
Solapur present

....

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, J.J.**

DATE : 22nd JULY, 2024.

P.C.

1. Heard learned Counsel for the parties.

2. By this petition, the petitioner seeks quashing and setting aside of the impugned order dated 30.03.2019 passed by the Zilla Police Saurakshan Samiti, Solapur issued by the Assistant Police Inspector, Karkamb Police Station, Dist. Solapur by letter dated 25.05.2019. The petitioner after seeking quashing and setting aside of the said order seeks a direction to the respondent to provide police protection to the petitioner without any charges on such terms and conditions as this Court may deem fit and proper.

3. Learned Counsel for the petitioner states that the petitioner has formed 'R.R. Patil Lokvikas Pratisthan' at Solapur and that through the said forum, he raises social issues by virtue of being a President of the said Pratisthan. It is submitted that the petitioner is actively involved in several social activities and public causes and has taken up various issues concerning the common man. Learned Counsel for the petitioner further submits that the petitioner had also filed PIL in this Court, challenging illegal mining and illegal excavation of sand at village Kasegaon, Dist. Solapur and that because of the said PIL, the

companies indulging in the said activities were forced to pay Rs.64,82,800/- and Rs. 2,28,80,000/- to the Government. He submits that the petitioner has been bestowed with an Appreciation Certificate by the Anti Corruption Bureau, Pune.

4. Since, according to the petitioner, there were threats to his life, he filed an application before the Zilla Police Saurakshan Samiti, Solapur and sought police protection. The said application was filed in 2019. Since police protection was rejected by the Samiti vide order dated 25.05.2019, the petitioner filed the aforesaid petition in 2019.

5. When the petition came up for hearing before us, we vide order dated 1st April, 2024, permitted the petitioner to make a fresh application before the appropriate authority for police protection and directed the authority to consider the said application in accordance with law, keeping in mind the threat perception to the petitioner. We passed the said order, as much time had lapsed from 2019. The said application was rejected by the concerned authority on 20.07.2024, after noting that there

was no threat perception to the petitioner.

6. Learned APP had also filed an affidavit dated 21.01.2020 of Bhagwat Vitthalrao Mundhe, Police Inspector, Solapur Rural Police Station, Solapur. In the said affidavit, it was stated that since there was no threat perception to the petitioner, the petitioner's request for police protection was rejected.

7. Learned APP today submits that about 14 cases and 5 NCs complaints are registered against the petitioner with Karkamb Police Station, Solapur. Learned APP has tendered a copy of the said report dated 22.07.2024 evidencing the cases which are pending against the petitioner. The said cases are also mentioned in the affidavit. The report tendered today is also taken on record.

8. Learned Counsel for the petitioner submits that all these cases are, cases filed in counter blast to the attempts made by the petitioner to expose several persons / accused involved in excavation of sand / illegal mining. The fact remains that there are about 14 cases pending against the petitioner prior to 2019

i.e. between the period 2023 to 2019.

9. As far as police protection is concerned, we may note, that the police have rejected the petitioner's application seeking police protection, after noting that there is no life threat to the petitioner. Infact, even in additional affidavit filed by the petitioner dated 20.01.2022, the petitioner has not set out a single incident as to whether he had received any threatening calls or whether there were any life threatening incidents on him, since 2019 i.e. post the filing of this petition. Learned Counsel for the petitioner has not been able to show us any such averment in the additional affidavit filed by the petitioner.

10. Considering the aforesaid facts, no infirmity can be found in orders passed by the authority refusing to grant police protection to the petitioner.

11. Needless to state, that if in the future, the petitioner has any threat to his life, it is always open to the petitioner to file a fresh application before the appropriate authority for police protection and the concerned authority to decide the same on its

own merits, uninfluenced by its earlier orders.

12. Accordingly, the petition is dismissed and disposed of as such.

(PRITHVIRAJ K. CHAVAN, J.) (REVATI MOHITE DERE, J.)