



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

12 CRIMINAL CONTEMPT PETITION NO. 3 OF 2025

JUDICIAL MAGISTRATE FIRST CLASS, TULJAPUR

VERSUS

NILESH DESHMUKH, SUB DIVISIONAL POLICE OFFICER TULJAPUR
AND ANOTHER

....

Advocate for the Petitioner : By Post

APP for Respondents-State : Mrs. P.R. Bharaswadkar

....

**CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

Dated : 15th July 2025

PER COURT :-

1. We have perused the reference letter given by the learned Judicial Magistrate First Class, Tuljapur, dated 13.05.2025, for action to be taken under Section 15(2) of the Contempt of Courts Act, 1971, regarding the alleged contemptuous conduct of Mr. Nilesh Deshmukh, Sub Divisional Police Officer, Tuljapur.

2. It appears that the name of Mr. Nilesh Deshmukh, SDPO, Tuljapur, was taken in a complaint by the accused regarding ill-treatment and it appears that the said SDPO is an Investigating Officer in that case. As per procedure laid down in Criminal Manual, it appears that the permission was sought from the learned Principal

District and Sessions Judge, Osmanabad, for further inquiry and accordingly, learned Judicial Magistrate First Class, Tuljapur was asked to conduct the inquiry into the allegations regarding ill-treatment. The notices were issued, but it appears that along with the notices, documents were not supplied to the said SDPO and others. Still, when a judicial order was passed on 16.04.2025, for Mr. Nilesh Deshmukh, SDPO, Tuljapur to remain present, he was present before the learned Magistrate and at that time, while giving say, some such statement has been made which according to the learned Magistrate is contemptuous.

3. Mr. Nilesh Deshmukh, SDPO, Tuljapur is present before this Court and he is tendering unconditional apology for using the words, however, he says that it was not his intention to bring disrepute to any court. He was only stating that a proper opportunity was not given as the documents were not made available.

4. It appears that on 16.04.2025 itself, a communication was given by Mr. Nilesh Deshmukh, SDPO, Tuljapur to the learned Judicial Magistrate First Class, Tuljapur and he gave the entire facts stating that he has not received the documents and he requested that those documents i.e. the allegation that was made by the accused,

statement of the accused, medical report of the accused, etc. to be made available to him. We find that it was the genuine request by Mr. Nilesh Deshmukh, which ought to have been considered by the learned Magistrate. Every person against whom allegation is made is required to be heard by the authority. The only fact herein is the words used “आमच्यावर दबाव टाकून चौकशी चालवली जात आहे”. We do not find this to be a contemptuous statement bringing disrepute to the court of law. We, therefore, reject the reference.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asd