



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CRIMINAL WRIT PETITION NO. 1019 OF 2025

BALAJI DNYANOBA PADILE
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Siddesh Same Advocate a/w. Mr. Prathamesh V. Chaudhari
Advocate for Petitioner i/b. Rajeev Sawant and Associates for
Petitioner.

Mr. P.S. Patil, Additional P.P. for Respondent-State.

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

DATE : 24th JULY 2025

ORDER :

1. Heard learned Advocate for the petitioner. He submits that the son of the petitioner has been released on bail and therefore, he is not proceeding ahead with the prayer for son's production. However, the petitioner challenges the arrest as well as detention of his son.

2. When the petitioner is challenging the arrest to be illegal and there is question of alleged detention, then the petitioner should add the erring officer as per his contention, as a party

respondent by name. We, therefore, direct the petitioner to add the officer who has allegedly violated the fundamental rights of the son of the petitioner, or in other words who has caused the illegal detention. Such amendment to be carried out within a period of one week.

3. After the amendment is carried out, issue notice to the respondents. Learned APP waives notice for respondent No.1. Notice to the added respondent/respondents, is made returnable on 11th August 2025. In the meantime respondent No.1 may file affidavit-in-reply or or before 5th August 2025. Copy of the same be given to the other side.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/JULY25