

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

WRIT PETITION NO.3533 OF 2025

Surendra Bhagwan Shitole

... Petitioner

versus

The State of Maharashtra & Ors.

... Respondents

...

Mr.Laxman Kalel for the Petitioner.

Mr.V.B.Konde-Deshmukh, Addl. PP for the Respondent -State.

...

**CORAM : RAVINDRA V. GHUGE &
GAUTAM A. ANKHAD, JJ.**

DATE : 24th July, 2025

P.C.:-

1. This is one rare case wherein we noticed that the Petitioner has attempted to abuse the process of law. The writ land (details of which are neither pleaded nor the documents are placed on record) was acquired by the State Government two decades ago. In 2007, the said land was allotted to Shankar Tanaji Kamble and Sachin Dhondiram Chavan. After around 18 years, Shankar Kamble and Sachin Chavan, sold the land to Pranav Shivaji Harugade, vide a registered sale deed dated 1st April, 2025 and the mutation entry No. 62685 was effected on 25th June, 2025.

2. The allotment of the land to Shankar Kamble and Sachin Chavan by the State Government in 2007, is the subject matter of challenge

in Writ Petition Nos. 9991 of 2022 and 1427 of 2025. It is conveyed to us by the learned Advocate for the Petitioner that this Court has not passed any order imposing an injunction or embargo on Shankar Kamble and Sachin Chavan from alienating the said land.

3. It is in these circumstances that the Petitioner desires that a First Information Report be registered against Respondent No.3, the Circle Officer, who has jurisdiction to effect a mutation entry on the basis of a registered sale deed.

4. This Court has settled the law in ***Shrikant R. Sankanwar and others vs. Krishna Balu Naukudkar¹***, that a mutation entry is meant only for fiscal purposes and does not decide any right, title or interest. Such an entry can be effected on the basis of a registered sale deed.

5. At this juncture, the learned Advocate for the Petitioner submits, on instructions, that the Petitioner desires to withdraw this Petition. So also, the complaint filed against Respondent No.3, a copy of which has not been placed on record and the details of which have not been pleaded in the Petition, shall also be withdrawn by the Petitioner, and the same may be treated as disposed off.

1 2003 (3) BCR 45

6. The learned Addl.PP submits that this is a fit case for imposing heavy costs on the Petitioner for attempting to abuse the process of law and, in a different way, to exert pressure and threaten a Revenue Officer. The learned Advocate for the Petitioner submits that costs may not be imposed as the Petitioner is a farmer.

7. In these circumstances, we do not accede to the request for imposition of costs.

8. **This Writ Petition is disposed off as withdrawn, on instructions.**

9. We record that the complaint dated 29th June, 2025 filed by the Petitioner against Respondent no. 3, shall also stand disposed off.

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)