

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 598 OF 2025

IN

WRIT PETITION NO. 3491 OF 2025

Krishna Sayajirao Patil

... Petitioner

Versus

The State Of Maharashtra & Ors.

... Respondents

*Mr. Shivraj V. Patil (Shirgaonkar) a/w. Mr. Ajinkya J. Patil (Shirgaonkar)
& Mr. Indrajeet V. Patil (Shirgaonkar) for the Petitioner.
Mr. S.B. Kalel, A.G.P. for the Respondent-State.*

Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.

Date : 1st December 2025.

P. C. :

1. Heard learned counsel for the Petitioner.
2. The Order of which breach is alleged is dated 7th July 2025 passed by this Court, which reads thus :

“1. After hearing the matter, the learned APP submits that the concerned trawler is in the possession of Ajinkyatara Sugar Factory at Satara. The Police Authorities tried several times to impress upon the management of the Sugar Factory to give

them an access to the trawler for the purposes of investigation, but, the management has consistently refused.

2. The learned APP submits on instructions that now they intend to enter the factory by following the due procedure prescribed in law and seize the trawler. If the Sugar Factory does not cooperate, the relevant sections of the Bhartiya Nyay Sanhita, 2023, would be invoked to deal with the offence of destruction of evidence or causing disappearance of evidence. He further submits that a charge-sheet would be formalized and filed in the Court on or before 10th August 2025.

3. By recording the above statements, this Petition is disposed off.

4. In the event the Petitioner is aggrieved by any further cause of action, he would be at liberty to avail of a remedy as is permissible in law.”

3. According to the learned counsel for the Petitioner, the trawler was in possession of the contemnors as could be revealed from the earlier report of the Police. It is submitted that the investigation is not carried out by the Investigating Machinery properly. It is submitted that it is the fit case where the Order passed by this Court is breached.

4. Learned counsel for the Petitioner fairly submitted that the chargesheet has been filed, however the important aspects which needed investigation have not been gone into. It is submitted that, as a result of

filing of the chargesheet, it is the accused, who are benefited. It is submitted that the accused are not even named in the F.I.R.. It is further submitted that the chargesheet has been filed after a delay of 15 days. It may not be possible for us to examine these submissions in the present proceedings. All these contentions when raised before the appropriate forum, will undoubtedly be examined on its own merits.

5. In our opinion, this is not a fit case to hold that the order passed by this Court has been breached. This Court had in fact kept the remedy open for the Petitioner to avail appropriate remedy for any further cause of action.

6. Keeping the remedy of the Petitioner open to take recourse to the appropriate remedy, if the Petitioner is aggrieved by any action on the part of the Respondents, the Contempt Petition stands disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]

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