

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5268 OF 2024

Nirmal Harsh Waddan ...Petitioner
Versus
The State of Maharashtra & Anr. ...Respondents

WITH
WRIT PETITION NO. 5491 OF 2024

Jaymalhar Krishnajirao Bhosale & Anr. ...Petitioners
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Sanjog Parab, Senior Counsel a/w Mr. Rahul Garg, Mr.Mohan Rao i/b MGK Legal for the Petitioner in WP/5268/2024.

Ms. Ujwala Pawar a/w Mr. Prasad Kulkarni & Mr. Rahul Garg for the Petitioner in WP/5491/2024.

Mrs. P.P.Shinde, Addl.PP for the Respondent-State.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 19th SEPTEMBER, 2025**

P.C. :

1. Heard learned Counsel for the parties.
2. By these petitions, the petitioners therein, seek quashing

and setting aside of the FIR bearing C.R.No.1288 of 2024 registered with the Hadapsar Police Station, Pune, on 12th August, 2024, for the alleged offences punishable under Sections 4, 12 and 15 of the Right of Children to Free and Compulsory Education Act, 2009.

3. The premise on which, quashing is sought is that none of the sections as alleged under the Right of Children to Free and Compulsory Education Act, 2009, are cognizable and as such, no FIR could have been registered.

4. Mrs. Shinde, learned Addl.PP does not dispute that apart from the aforesaid sections, no other provisions/Acts have been invoked in the FIR. She further fairly states that none of the aforesaid sections i.e. Sections 4, 12 and 15 of the Right of Children to Free and Compulsory Education Act, 2009 invoked in the FIR, are cognizable.

5. We have perused the provisions and we are satisfied that none of the sections invoked in the FIR are cognizable warranting

registering of an FIR.

6. In view of the aforesaid, the FIR bearing C.R.No.1288 of 2024 registered with the Hadapsar Police Station, Pune, for the alleged offences punishable under Sections 4, 12 and 15 of the Right of Children to Free and Compulsory Education Act, 2009 stand quashed and set aside.

7. Petitions are allowed and accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.