

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO.1462 OF 2025**

Ajit Vasantrao Patole & Anr

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Satyavrat Joshi a/w. Mr. Ishan Paradkar, Ms. Suvarna Yadav and Ms. Reena Prajapati for Petitioners.
Smt. Prajakta P. Shinde, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 25th June 2025.

P.C. :

- 1) Perusal of record prima facie indicates that alleged demand of professional charges by Petitioner was not in his capacity as 'Public Servant' and was for the medical treatment given by him to the informant for the ailments which were not covered under the subsidised schemes of the Government. Prima facie it appears that, this distinction has been overlooked by the Investigating Agency till date.
- 2) Learned APP seeks time to file a brief reply to the petition.
- 3) Learned APP on instructions submits that the Police have filed

chargesheet yesterday i.e. 24th June 2025 and the same is numbered as Special Case No.25 of 2023, pending on the file of Special Judge, Gandhinglaj Sessions Court, Kolhapur. She however fairly conceded to the fact that, the trial Court has not yet taken cognizance of the case.

4) In view of the above, till the returnable date we direct the learned Judge of the trial Court not to proceed with the said case.

5) Stand over to 23rd July 2025.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)