

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

WRIT PETITION NO.3855 OF 2025

Bharat Arjandas Tolani

....Petitioner

Versus

The State of Maharashtra and Ors.

....Respondents

Mr. Suhas Kharat for the Petitioner.

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

PI Chandrakant Kamble, Santacruz Police Station, Mumbai and API
Anand Shahane, Azad Maidan Police Station, Mumbai present.

CORAM : RAVINDRA V. GHUGE

&

GAUTAM A. ANKHAD, JJ.

DATE : 5th AUGUST, 2025

P.C. :-

1. This is a classic case of the Petitioner seeking discretionary relief from this Court, by indulging in suppression of antecedents and material facts.

2. When we heard this matter on 22nd July 2025, we passed the following order :

1. The learned Advocate for the Petitioner has tendered a copy of the Petition to the learned APP in the Court today.

2. The learned APP would also apprise the Court as to whether any crimes or offences have been registered against the Petitioner.

3. Stand over to 5th August, 2025, in the 'Supplementary Board'.

3. Apprehending that the learned Addl. PP Mr. Konde-Deshmukh would place before us the complete details of the cases registered against the Petitioner, the learned Advocate for the Petitioner has, on his own, tendered a list of ten criminal cases registered against him. The same is taken on record and marked as 'X' for identification. The said chart (2 pages) signed by the learned Advocate for the Petitioner on instructions and tendered to the Court, indicates as under :

<i>Sr. No.</i>	<i>Case No.</i>	<i>Under Section</i>	<i>Court Details</i>	<i>Stage</i>	<i>Next date</i>
01	SCC 803/2015	385 of I.P.C.	2 nd Jt. CJJD & JMFC at Ulhasnagar	Evidence part heard	20/8/2025
02	RCC 154/2019	354 of I.P.C.	3 rd Jt. CJJD & JMFC at Bhiwandi	Hearing	2/9/2025
03	Spl. Case 85/2020	354 of I.P.C. & 8, 12 of POSCO ACT 2012	5 th District Judge 6 and Addl. Sessions Judge at Kalyan	Hearing	8/8/2025

04	SCC 4025/2022	258 of C.R.P.C.	2 nd Jt. CJJD & JMFC Thane	Dispose d	6/5/2022
05	RCC 1286/2023	354 of I.P.C.	4 th Jt. CJJD & JMFC at Thane	Awaitin g Summo ns	7/8/2025
06	SCC 2232/2021	500 of I.P.C. & 3 of Police (Incitemen t to Disaffectio n Act)	6 th Jt. CJJD & JMFC at Belapur	Case Dispose d	19/1/202 4
07	RCC 1058/2020	354, 504 of I.P.C.	Jt. CJJD & JMFC at Ulhasnagar	Dispose d	2/1/2021
08	SCC 575/2001	37(1), 135 of Bombay Police Act	Ld. JMFC at Ulhasnagar	Dispose d	30/6/200 9
09	SCC 417/2015	500 of I.P.C.	2 nd Jt. CJJD & JMFC at Ulhasnagar	Dispose d	10/2/202 3
10	CR. Revision 212/2023	397 of C.R.P.C.	2 nd Ad Hoc. District Judge 1 Additional Sessions Judge, Belapur	Dispose d	31/5/202 4

4. The Petitioner claims to be the Chief Editor of a weekly publication, namely “Mera Town”. He further claims to be

an RTI activist and he has exposed various illegal businesses and activities in the regions of Ulhasnagar, Kalyan, Bhiwandi, and Mumbai.

5. In the list of cases that are reproduced above, five cases have been disposed off, in default, since the Complainant did not appear before the Court. In one matter, there is an acquittal. The first matter in the list pertains to an allegation of extortion by the Petitioner. The second matter pertains to outraging the modesty of a woman. The third matter pertains to a crime committed against a minor (POCSO). The fifth case also pertains to outraging the modesty of a woman. In the case at serial no.7, which was also a case of outraging modesty, the Petitioner claims to have been acquitted.

6. The Hon'ble Supreme Court has crystallized the law that a litigant must come to the Court with clean hands when seeking discretionary relief or any relief for which entitlement must be established. In *Bhaskar Laxman Jadhav and Ors. v/s. Karamveer Kakasaheb Wagh Education Society and Ors.*¹ and *Kishore Samrite*

¹ 2013 (11) SCC 531

*v/s. State of Uttar Pradesh and Ors.*², the Hon'ble Supreme Court held that if a person comes to the Court with tainted hands, the Court may refuse relief and deal firmly with such a litigant. It was further observed in *Bhaskar Laxman Jadhav* (Supra) that the Petitioner is obliged to disclose all relevant facts and must not withhold or filter information from the Court.

7. In view of the above, this is a fit case to be dismissed with costs.

8. The learned Advocate for the Petitioner pleaded, on instructions, that costs may not be imposed. In view of his request, we are, though reluctantly, not imposing any costs.

9. In view of the above, **this Petition is dismissed.**

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)

² 2013 (2) SCC 398