

JYOTI
RAJESH
MANE

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RAJESH MANE
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4328 OF 2025

Jaykumar Mahadevrao Kale

.. Petitioner

Versus

State Of Maharashtra And Ors

.. Respondents

Mr. Krishna A. Tarde h/f. Mr. Prashant S. Hagare, for the Petitioner.

Mr. Mayur Sonawane , APP for the Respondent-State.
PSI Ashok Raut of Baramati City Police Station, Pune (Rural), present.

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

DATE: 14th AUGUST, 2025

P. C.

1. The Petitioner claims to be a member of the *Church Of Christ Mission* Baramati. He claims that he has been appointed as a Delegate (wrongly typed as 'delicate'). Few students, who are Orphans, have gone missing from the said hostel. A list of 21 cases is narrated by the Petitioner.

2. The learned APP submits that all these cases have been investigated into. A compilation of 8 pages is tendered to the Court, which is

marked as 'X' for identification. Our attention is drawn to the charges set out from page No.2 onwards to indicate that barring two cases, all the cases have been solved. For some reasons, the students have left the boarding facility and with the indulgence of the Police, they have been brought back.

3. Serial No.4 (Page 6 under 'X' for identification) is one case wherein though the boy has been traced out and returned, the accused are not identified and the 'A' final report dated 27th September, 2023, has been tendered with reference to the FIR No.317/2022 dated 1st July, 2022.

At Serial No. 12, with reference to the FIR No.674/2024 registered on 4th September, 2024, the Police are investigating and making efforts to trace out the boy.

4. Paragraph No.5 of the memo of the Petition indicates that the Petitioner actually desires to target Mr. Robert Vasant Gaikwad, who is a Chairman of the Mission Boys Hostel and who holds institutional authority and administers the hostel. Grievance is made that he has never been arrested or interrogated. Surprisingly, in all these cases mentioned by the Petitioner, he (Petitioner) is not the informant. The caretaker is the informant in all these cases. The Petitioner is in no way connected with those cases and yet this

Petition has been filed, *ex-facie* having the trappings of wrecking vengeance or revenge on Mr. Robert Gaikwad. Hence, we are convinced that this is a case in which cost needs to be imposed for an attempt to misuse the process of law. It is now only one case wherein the Police have to carry out the investigation to trace out the person. We trust that the authorities would do the needful.

5. In view of the above, **this Petition is dismissed**. Since the Petitioner's occupation is business of dealing in sale of used cars, costs of Rs. 25,000/- is being imposed, which the Petitioner shall deposit in this Court within a period of 15 days from today and produce a receipt of such deposit.

6. Place this Petition before the Court, for reporting compliance, on 4th September, 2025.

[GAUTAM A. ANKHAD, J.]

[RAVINDRA V. GHUGE, J.]