

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4513 OF 2025

Bhalchandra Dattatraya Sawant

...Petitioner

Versus

Maharashtra State Electricity
Distribution Company Limited & Ors.

...Respondents

Mr. Afsar Ansari i/by Mr. Vishal Rankhambe, Advocate for the
Petitioner.

Ms. Gauri S. Rao, APP for the Respondent/State.

Mr. A.R. Gole a/w Mr. Kailash Jadhav, Advocate for Respondent
No.7.

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

DATE : 26th AUGUST, 2025

P.C. :-

1. This is a case filed by a person namely, Bhalchandra Dattatraya Sawant, who claims to be a social worker having formed an organization titled as 'Anti-Corruption Youth Force' on 7th November, 2012. After the Government banned the use of the word Anti-Corruption in organizational nomenclature, the Petitioner re-registered his organization as 'Rashtra Nirman Dal' on 7th March, 2022, under the Maharashtra Public Trust Act, 1950.

2. Nowhere in the Petition, does he disclose his activities. At Page No.46, it is averred that this Petition is not motivated by personal animosity or vindictiveness, but, due to the failure to properly investigate his complaints, that he has filed this Petition. The Petitioner has then stated that certain cases are registered against him, as under :-

“i) FIR No.132 dated 08/03/2023 at Nirmal Nagar Police Station, Bandra,

ii) Special Suit No.10251 dated 29/11/2022 at City Civil Court, Mumbai for defamation of Rs.50,000,00/- and

*iii) Contempt Petition No.247 dated 03/01/2024 at this Hon’ble Court filed by Respondent No.7 against the Petitioner. The copies of relevant papers in coly are annexed and Marked as **EXHIBIT “S”**.”*

3. This Petition is directed against Respondent No.7, who was a former Director of MSETCL, followed by MSEDCL, from which company he superannuated. The Petitioner seems to be pursuing Respondent No.7 and as a consequence of which, Respondent No.7 was compelled to prefer a Special Civil Suit No.2571 of 2022, seeking a declaration that the present Petitioner has indulged in his defamation and for seeking compensation. On a Notice of Motion No.4572 of 2023, the learned Bombay City Civil

Court for Greater Bombay, passed an order dated 20th March, 2024 and issued the following directions under Order 39 Rule 2A of the Code of Civil Procedure :-

“41. Since the defendant is found guilty of the disobedience of the order dated 10/03/2023, the property of the defendant needs to be attached. Hence, I proceed to pass the following order.

ORDER

i) Notice of Motion No.4572 of 2023 is made absolute in terms of prayer clause (a) to (d).

ii) The plaintiff is directed to furnish details of the properties of the defendant.

iii) After furnishing the details of the properties, the same shall be attached for a period of 6 months.

iv) In case the breach or disobedience continues at the expiry of 6 months, then the attached property of the defendant be sold and compensation of Rs.1,00,000/- (Rupees One Lakh) be paid to the plaintiff from the sale of the property of the defendant.

v) Costs in cause.

vi) Notice of Motion is disposed of accordingly.”

4. This Petition seems to be a result of a personal grudge of the Petitioner as against Respondent No.7. He had moved Criminal Writ Petition No.1955 of 2023, before this Court seeking quashing of a First Information Report (‘FIR’), which was registered against him by Respondent No.7 herein, alleging

extortion. The chargesheet has been filed. By the said Petition, the Petitioner sought quashing of the FIR. By an order dated 30th June, 2025, the Petition was disposed off since the Court expressed its disinclination to grant any relief. For ready reference, the order dated 30th June, 2025, is reproduced as under :-

“1. After hearing learned Advocate for the Petitioner at length, when this Court was not inclined to grant any relief, he on instructions, seeks leave to withdraw present Petition with liberty to file an Application for discharge before the trial Court.

1.1 Leave and liberty granted.

2. Disposed off as withdrawn with aforesaid liberty.”

5. We have perused the extensive Petition filed by the Petitioner (memo of the Petition running into 61 pages). Grave and serious allegations have been made against Respondent No.7. If the entire memo of the Petition is perused, it clearly indicates that reckless allegations are made. Respondent No.7 is alleged to have caused a loss of Rs.100 Crores to the Company. The Company has no grievance against Respondent No.7. The Petitioner claims that the said amount should be recovered from Respondent No.7. This Petition is replete with several reckless and unsubstantiated allegations made by the Petitioner against Respondent No.7,

apparently to settle a score keeping in view that the defamation case and the extortion case filed by Respondent no. 7, is progressing.

6. The litigation before us and the history of litigation between the Petitioner and Respondent No.7, clearly indicates that the Petitioner has some old grievance against Respondent No.7, and he has been pursuing him before various Courts. He has no material to place on record to substantiate any of the allegations. Grave allegations of bribery, extortion, embezzlement, malpractices, corrupt practices, misconducts etc. are leveled against Respondent No.7, without any substantiation.

7. The learned Advocate appearing on behalf of Respondent No.7, submits that he is facing a tirade from the Petitioner. He also approaches the newspapers. Respondent No.7 is finding it cumbersome and difficult to face such allegations from a person, who has no locus and is not connected even with the Companies in which Respondent No.7 was working and has already superannuated.

8. In view of the above, we are of the opinion that the Petitioner has misused the process of law for the purpose of wrecking vengeance against the Respondent No.7. The learned Advocate informs us orally that the Petitioner has an Industry by the name, 'Shriram Industries' and he manufactures spare parts for JCB Machines.

9. In view of the above, this **Writ Petition is dismissed** by imposing cost of Rs.2 Lakhs, which the Petitioner shall deposit in this Court within a period of 30 days from today, failing which, we direct the District Collector, Pune to recover the said amount by following the procedure laid down under the Maharashtra Land Revenue Code, 1966, treating the said amount as arrears of Land Revenue. If required, the property of the said Industry namely, Shriram Industries, shall be attached for the recovery of the said amount and which shall be deposited in this Court.

10. The learned Advocate representing Respondent No.7, as well as the learned APP, submit that the said amount be utilized for a public cause by donating it to appropriate organizations.

11. Hence, we direct the Registry of this Court to transfer the said amount in equal proportions of Rs.25,000/- each to the following entities :-

1. **Children Aid Society, Mumbai**

Account No.02370100005612

Bank Name :UCO BANK

Branch – Matunga

IFSC : UCBA0000237

2. **In Defense of Animals**

Account No.04060100019102

Bank Name :Bank of Baroda

Branch – Chandavarkar Road Branch, Matunga

IFSC : BARB0CHANDA ('0' is a digit not alphabet)

MICR No.: 400012046

3. **Girija Welfare Association**

Account No.309006361574

Bank Name :RBL BANK

Branch – Kharghar

IFSC : RATN0000078

4. **K.E.M. Hospital, Poor Box Charity Fund**

Account No. 99350100000877 (S.B.)

Bank Name : Bank of Baroda

Branch : Parel Branch

IFSC : BARB0DBPARE (5TH Letter is Zero)

MICR No. :400012246

5. The High Court Employees Medical Welfare Fund at Mumbai

Account No. : 000120110001337
Bank : Bank of India
Branch : Mumbai Main
IFSC Code : BKID0000001

6. National Association for the Blind

Account No : 3740000100008551
Bank : Punjab National Bank
Branch : Worli Seaface
IFSC Code : PUNB0374000

We also direct the Registry of this Court to transfer
Rs.1,00,000/- to the following entity :-

Bar Council of Maharashtra and Goa

Account No.10996711937
Bank Name : State Bank of India
Branch – Mumbai Main Branch
IFSC Code : SBIN0000300

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)