

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

WRIT PETITION NO.5142 OF 2025

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Kaustubh Krishna Patil

.. Petitioner

Vs.

State of Maharashtra & Ors.

.. Respondents

...

Ms. Pooja Phagnekar, Advocate for the Petitioner

Mr. K. V. Saste, Additional Public Prosecutor for the
Respondent Nos.1, 2 and 4

...

**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 14th OCTOBER 2025

P.C. :

A grandson aggrieved by registration of a criminal case against him by his grandfather is before this Court. The grievance of the petitioner is that the respondents-Collector of Palghar, Chief Executive Officer of Zilla Parishad at Palghar, the Tahasildar, Block Development Officer and Grampanchayat, Kharivali, Tq. Wada in the district of Palghar are not acting on his representation dated 28th April 2025.

2. Ms. Pooja Phagnekar, the learned counsel for the petitioner submits that on lapse of 30 days there shall be deemed sanction for prosecution of Circle Officer who colluded with others to create forged documents. The aforementioned authorities were required to act on the representation dated 28th April 2025. The learned counsel for the petitioner referred to section 218 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to lay support to the prayers

made in this writ petition. The provisions under section 218 of the Bharatiya Nagarik Suraksha Sanhita, 2023 refer to the prosecution of judges and public servants. Whether the Circle Officer shall be a public servant is not stated by the petitioner in the writ petition. The provisions of section 218 of the Bharatiya Nagarik Suraksha Sanhita, 2023 provide that a public servant not removable from his office cannot be removed without prior sanction of the government if he is accused of any offence committed by him while acting or purporting to act in discharge of his official capacity. This is also not stated by the petitioner that the Circle Officer whose name or position has not been disclosed in the petition is accused of any crime. The learned counsel for the petitioner merely states that some Circle Officer colluded with others to fabricate some documents.

3. Writ Petition No.5142 of 2025 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]