



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL WRIT PETITION NO.810 OF 2024

Viraj Panjabrao Badki, Wani, Dist. Yavatmal and anr.

vs.

The State of Maharashtra, Thr. Secretary, Dept. of Home Affairs, Mantralaya, Mumbai & ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri N. M. Kolhe, Advocate for petitioners.

Shri S. A. Ashirgade, Additional Public Prosecutor for respondent Nos.1 and 2.

CORAM : ANIL L. PANSARE AND RAJ D. WAKODE, JJ.

DATED : 2nd December, 2025

The petitioner has approached this Court with following prayers :

“ (a) *Issue an appropriate Writ/Order/direction, declaring impugned detention and arrest of the Petitioner, from 29/09/2021 to 30/09/2021 in connection with Crime No.756/21, at Anne-A registered at Police Station, Wani, Dist. Yavatmal, on 30.09.2021, is illegal, unconstitutional, and irrational being the abuse of process of law.*

(b) *Issue an appropriate Writ/Order/direction, directing the state to take appropriate action as per law against the Respondent Nos.3 to 7 responsible for curtailing the personal liberty of the Petitioners without process of law and for violating and infringing the constitutional, fundamental and legal rights of the petitioners and to make proper inquiry into the matter.*

(c) *Issue an appropriate Writ/Order/direction, directing the state to grant suitable compensation upto Rs.10,00,000/- each to the Petitioners for the illegal arrest and detention they suffered from in hand of respondents.*

(d) *Grant any other relief which this Hon'ble court deems fit in the facts and circumstances of the present petition in the interest of justice.”*

2. So far as first prayer is concerned, the argument is that petitioners were wrongly detained in lockup for the intervening night of 29/09/2021 till 30/09/2021 for the offences which are

bailable. They were produced before the trial Court which rejected the police custody remand. The trial Court vide its order dated 30/09/2021 held that the arrest of petitioners is not justifiable. Thus, the first prayer has been already addressed by the trial Court.

3. So far as second prayer is concerned, learned Additional Public Prosecutor submits that necessary action is being taken against the erring officials.

4. Statement is accepted. Thus, the second prayer is also addressed.

5. So far as third prayer is concerned, we grant liberty to the petitioners to approach appropriate Court seeking compensation and if such proceedings are initiated, same shall be decided on their own merits.

6. The petition is accordingly disposed of in terms of above.

(Raj D. Wakode, J.)

(Anil L. Pansare, J.)