



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1019 OF 2025

Balaji Dnyanoba Padile

Petitioner

Versus

The State of Maharashtra
and others

Respondent

...

Ms. Sonal Parab, a/w Mr. Prathamesh Choudhari,
Advocates for the petitioner.

Mr. S.P. Sonpawale, A.P.P. for respondents-State.

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**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

Reserved On : 13.02.2026

Pronounced on : 16.02.2026

Final Order (Per Sandipkumar C. More, J.) :

1. Rule. Rule is made returnable forthwith. With consent of the learned counsel for the petitioner and learned APP, heard finally at the stage of admission.

2. Though the petitioner has claimed various reliefs in the petition, however, at the time of argument, learned counsel for the petitioner submits that now the petitioner is claiming prayer clause (B) only, which reads as under :

“B) That, this Hon’ble Court be pleased to direct the Superintendent of Police, Latur to personally conduct fair and impartial enquiry

into the allegations of the petitioner by calling for the call data records of the son of the petitioner, as well as the officers attached to the office of the Respondent who had detained the son of the petitioner from the place of his residence on 22.05.2025 between 8.00 a.m. to 9.30 a.m. and the manner in which the alleged raid was conducted”.

3. Learned counsel for the petitioner submits that the son of the petitioner namely Sanyam Balaji Padile is a Commerce Graduate and now pursuing his post graduation for Masters in Business Administration from Sai International Institute of Management, Pune since 2023. Sanyam is also assisting the petitioner in his business of restaurant. However, on 22.05.2025 in between 8.00 a.m. and 9.30 a.m. police officers of respondent State namely PSI Rajesh Ghadge and Mr. Tulshiram Barure, by visiting house of the petitioner, took away Sanyam with them in connection with case under Narcotic Drugs and Psychotropic Substances Act, 1985, but surprisingly without showing his arrest, they kept him under illegal detention on 22.05.2025 and belatedly produced him before the Chief Judicial Magistrate, Latur at 4.05 p.m. on 23.05.2025 i.e. beyond the span of 24 hours from his detention at 8.00 a.m. on 22.05.2025. Learned counsel for the

petitioner submits that the officer of respondent State did not even care to submit CDR of the son of petitioner showing that he was in the custody of the aforesaid officers without being arrested for more than 24 hours. Thus, the learned counsel for the petitioner has sought action against the officers of respondent State for keeping the son of the petitioner under illegal detention from 8.00 a.m of 22.05.2025.

4. On the contrary, learned APP, by filing reply of respondent No.3 Rajabhau Ghadge strongly opposed the petition on the ground that when police received secret information on 22.05.2025 at about 16.00 hours i.e. 4.00 p.m. at Sut Mill Roadm, Latur that two persons were selling contraband article "MD" illegally, they took entry to that effect in station diary after intimating the said fact to the higher authority and thereafter caught son of the petitioner raid handed with the contraband article. According to him, after confirmation of the involvement of son of the petitioner in the instant rime, respondent No.3 arrested him at 4.50 p.m. on 22.05.2025 and thereafter within a period of 24 hours he was produced before the concerned C.J.M. Latur at 4.05 p.m. on 23.05.2025. Thus, the learned A.P.P. submits that there is no illegal detention of the son of petitioner.

5. We have gone through the police papers and material on record. Though it is contended by the petitioner that his son was accosted in between 8.00 a.m. and 9.30 a.m. on 22.05.2025, but in support of the said fact no concrete material is placed on record by the petitioner. Learned counsel for the petitioner though argued that the police did not provide any information about CDR of the son of petitioner and that there is no whisper in the say of respondent No.3 as to at what time son of the petitioner was arrested, but it is equally important to note that respondent No.3, alongwith his affidavit-in-reply has also produced extracts of diary of police control room, Latur wherein the details of receiving information and detention of the son of petitioner with other entries in respect of investigation, are mentioned. Though it is not specifically mentioned in the affidavit-in-reply of respondent No. 3 about exact time of arrest of the son of petitioner, but as per station diary entry No.142/2025, dated 22.05.2025, it is clearly evident that the son of the petitioner was in fact taken in possession at 4.50 p.m. on 22.05.2025. Obviously when he was produced before the CJM, Latur at 4.05 p.m. on 23.05.2025 i.e. within 24 hours of his arrest, there cannot be any illegal detention in the instant matter. Moreover, from the other details of investigation i.e. verification

of mobile of the son of petitioner and screenshots of sending certain amounts to co-accused Maya Kamble, involvement of the son of petitioner in the crime is very much apparent.

6. Thus, considering all these facts we are of the opinion that there is no supporting material on record to hold that the son of petitioner was in fact taken into custody in between 8.00 a.m and 9.30 a.m. on 22.05.2025 by respondent Nos.2 and 3. Therefore, we do not find any merit in the petition and accordingly it stands dismissed.

7. Rule is discharged.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE