

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 23 OF 2026

Chhakuli Jayak Shinde

... Petitioner

Versus

The Superintendent of Police, Solapur Rural & Ors.

... Respondents

Mr. Asim Sarode (Through VC) a/w Mr. Tushar Sonule, Adv. S. Mujawar for the Petitioner.

Mrs. S. N. Deshmukh, A.P. P. for the Respondent-State.

Coram : R.G. AVACHAT &
AJIT B. KADETHANKAR, JJ.

Date : 29th January 2026.

ORAL ORDER: (AJIT B. KADETHANKAR, J)

1. Heard.
2. By this Petition, the Petitioner has made the following prayers:

“A. Issue a writ of mandamus or any other appropriate writ, order or direction, thereby directing Respondent No. 1 to register FIR against Respondent no. 2 and 3 and other police personnel mentioned in the Petitioner's written complaint dated 20/11/2025.

B. Direct Respondent No. 4 to ensure that the investigation of the said FIR is conducted by an independent, impartial Investigating Officer through CID.

C. Direct Respondent No. 4 to initiate an independent, impartial and time-bound inquiry against Respondent 1 and other police officers.

D. Any other directions which this Hon'ble Court may deem just, proper and necessary in the facts and circumstances of the present case and be pleased to allow the present Petition, by granting compensation to the victim.”

3. The allegations in a nutshell are that the Petitioner is a lady who was seven months pregnant at the relevant time. It is alleged that on 17th November 2025, certain police officials arrived at the Petitioner's residence and, while inquiring about other persons, physically assaulted the Petitioner including blows to her abdominal area. The Petitioner informed the officers of her pregnancy and requested assistance, but it is alleged that the police officer responded by making offensive remarks and continued the assault.

4. Mr. Sarode, learned Counsel for the Petitioner was at pains to submit that the Petitioner was brutally beaten by the said officials. He submits that conduct of the said police was not only offensive but it was inhuman. That, the petitioner is a pregnant lady. She repeatedly requested the police not to assault her. But she was still beaten, abused worst with allegations that she has hidden stolen gold on her body pretending that she was pregnant.

5. Feeling aggrieved, the Petitioner filed a complaint on 20th November 2025 with the Assistant Police Inspector, Barshi Taluka Police Station which is at page no. 23 of the paper-book. The complaints were also made to the Superintendent of Police, Solapur, and the Special IG, Kolhapur Region. However, no action has been taken by any authority despite the cognizable nature of the offence. Mr. Sarode therefore seeks directions as prayed for in the Petition.

6. With regard to the launching of prosecution, it is well settled by the Hon'ble Supreme Court in *Sakiri Vasu vs. State of Uttar Pradesh & Ors*¹ that, in such circumstances, the appropriate remedy for a complainant is to approach the concerned Judicial Magistrate with a complaint under Section 156(3) read with Section 200 of the Code of Criminal Procedure, 1973.

7. In view of the above, the Petitioner is at liberty to take appropriate recourse as laid down in *Sakiri Vasu* (supra) as per the corresponding provision. Insofar as the alleged atrocity by the police officers is concerned, it would be appropriate for the Petitioner to approach the Maharashtra State Police Complaints Authority under the Maharashtra State Police Complaints Authority (Administration and Procedure) Regulations, 2017.

1 (2008) 2 SCC 409

8. The Petitioner may address all grievances to the said Authority. It is expected that the Authority shall hear the Petitioner and adjudicate the grievance on its merits, passing such directions as are permissible in law and felt necessary in the given set of facts. The Petitioner is at liberty to approach this Court, if the circumstances warrant.

9. Writ Petition stands disposed of.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT, J.]

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