ARJUN VITTHAL KUDHEKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.514 OF 2026

Devya @ Devendra Dilip Bhusane ...Applicant

Versus

The State of Maharashtra & Ors. ...Respondents

Ms. Akshata B. Desai a/w Sahir Patel i/b Nitin Sejpal, for the Applicant.

Ms. S. M. Yadav, APP, for the Respondent-State.

API Deshmukh, Shrivardhan Police Station, District - Raigad, present.

Coram: Madhav J. Jamdar, J.
Date: August 18, 2026

P.C.:

1. Heard Ms. Desai, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP, for the Respondent-State.

2. At the outset, Ms. Desai, learned Counsel for the Applicant seeks leave to invoke the provisions of Articles 226 and 227 of the Constitution of India. Accordingly, leave as sought is granted. Amendment be carried out forthwith. Reverification is dispensed with.

3. By this Criminal Application, the Applicant is challenging the Order dated 31st October 2025 passed by the Sub-Divisional Officer, Shrivardhan, Division Shrivardhan, in Externment Case No.1 of 2025, as also the Order dated 23rd February 2026 passed by the Divisional Commissioner, Konkan Division, in Appeal No.174 of 2025 filed under Section 60 of the *Maharashtra Police Act, 1951*.

4. By the impugned Order dated 31st October 2025, the Applicant has been externed for a period of one year, and the said Order has been confirmed by the Order dated 23rd February 2026 passed by the Divisional Commissioner.

5. Perusal of the record shows that the action of externment has been taken on the basis of the following criminal cases registered against the Applicant:

Sr. No.	CR/FIR No.	Police Station	Act/Sections	Date of Filing	Status
1	CR. No.08/2025	Shrivardhan	Sections 118(1), 351(2), 3(5) of BNS	30/01/2025	Court Pending
2	CR. No.108/2023	Shrivardhan	Sections 341, 323, 504, 506, 34 of IPC	09/07/2025	Court Pending
3	CR. No.166/2022	Shrivardhan	Section 12(A) of Bombay Prevention of Gambling Act	01/12/2022	Convicted on 14/04/2023 - Fine of Rs. 1000
4	CR. No. 11/2021	Shrivardhan	Sections 323, 325, 504, 506, 34 of IPC	22/03/2021	Court Pending
5	CR. No.30/2020	Shrivardhan	Sections 325, 323, 504, 506, 34 of IPC	21/09/2020	Court Pending
6	CR. No.19/2019	Shrivardhan	Sections 353, 392, 332, 323, 504, 506, 427, 34 of IPC and Sections 3(1)(r), 3(1)(s) of Atrocity Act 1989,	21/07/2019	Court Pending
7	CR. No.76/2017	Shrivardhan	Sections 143, 147, 148, 149, 324, 323, 504, 506 of IPC	30/09/2017	Court Pending
8	CR. No.58/2016	Shrivardhan	Sections 394, 341, 504, 506 of IPC	2016	Released

6. The above chart clearly shows that action of externment is taken on the basis of the criminal cases which have been filed in the years 2016, 2017, 2019, 2020, 2021, 2022, 2023 and 2025. Thus, practically every year one criminal case is lodged against the Applicant.

7. The show-cause notice for taking action of externment is dated 1st July 2025. The last offence, registered on 30th January 2025 with Shrivardhan Police Station, District Raigad, shows that even the threats were given by the Applicant to some of the witnesses so that they

should not give evidence in Court in a case filed against the Applicant under Section 307 of the *Indian Penal Code, 1860*. The externment is not for the maximum period of two years but only for one year.

8. Thus, in the facts and circumstances, no case is made out for interference in the impugned Orders.

9. Accordingly, the Criminal Application is dismissed.

[Madhav J. Jamdar, J.]