Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 642 OF 2026

Satyendra Shriram Navre .. Applicant

Versus

State of Maharashtra and Ors. .. Respondent

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- Mr. Gaurav Suryavanshi, Advocate for Applicant.
- Ms. Anuja Gotad, APP for Respondent – State.
- API – S.D. Palve Manpada Police Station
- Rationing Officer – Mr. Dipak Dolas

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 22, 2026.

P.C.:

1. Heard Mr. Suryavanshi, learned Advocate for Applicants and Ms. Gotad, learned APP for Respondent – State.

2. Present Application is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking to quash First Information Report No.1522 of 2025 (for short "**FIR**") registered at Manpada Police Station, Dombivili Police Station on 12.12.2025 for alleged contravention of the provisions of Essential Commodities Act, 1955 and Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000. Applicant is 70 years old and partner of Trupti Gas Agency which operates from Shop No.8, Patkar Building, Shahid Bhagatsingh Road, Dombivili (East), Thane within the jurisdiction of

Manpada Police Station. Trupti Gas Agency is authorised Liquefied Petroleum Gas (LPG) distributor of Bharat Petroleum Corporation Limited since the past 45 years. LPG cylinders received from Bharat Petroleum are stocked in the vehicles namely trucks, luggage cycles and tempos near office of Trupti Gas Agency. The vehicles are parked at the roadside for onward distribution. Respondent No.3 - Controller of Rationing, on a routine visit found such gas cylinders and lodged report with Manpada Police Station on the premise of storage of LPG cylinders which are otherwise dangerous to be stored in vehicles under said Essential Commodities Act, 1955 and Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000.

3. FIR in the case proceeds entirely upon the allegations of storage of stock of gas cylinders in the vehicles. There is no other charge of illegal sale or for that matter removal of seal, smuggling, siphoning, unauthorized transport, concealment or black-marketing or any other issue alleged by the Complainant in the FIR. Reading of First Information Report shows that is filed merely on suspicious. It is *prima facie* seen that none of the provisions of Essential Commodities Act which are invoked penal prosecution on the basis of the above facts can be satisfied at the threshold. Applicant is a registered licensee of Bharat Petroleum Corporation Limited and the authorised distributor of LPG cylinders. Provision of Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000 pertain to restrictions and

prohibitions which do not apply to Applicant's case. A mere conclusion that storage of LPG Gas cylinders in vehicles for onward distribution creates danger to human life cannot be a reason and substitute for satisfying ingredients of Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000.

4. Applicant possesses license for godown and the cylinders were stacked in the vehicles temporarily and hence it will not constitute unauthorized storage. No mens rea is *prima facie* evident for commission of any crime or illegal activity. Hence application of the provisions of the Essential Commodities Act, 1955 and Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000 without the necessary ingredients of both said statutes being fullfiled.

5. There is also Government Order dated 27.02.2008 which acknowledges distribution vehicles needs to be halted and parked for limited periods during distribution and it states that strict restriction may not be applied only on that ground. I have perused the papers and *prima facie* find that apart from the aforesaid restricted charge of parking the vehicles, the FIR is bereft of specific allegations and is altogether founded on broad assumptions which cannot be sustained.

6. In view of the aforementioned prima facie observations and findings, Criminal Application is allowed in terms of prayer clause “a” which reads as thus:-

"(a) This Hon'ble Court be pleased to pass an order or direction quashing and setting aside FIR No.1522 of 2025 dated 12 December 2025 registered with Manpada Police Station, Thane City, for alleged offences under Sections 3, 7 and 8 of the Essential Commodities Act, 1955 read with Clauses 3, 4, 5, 6 and 9 of the Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000, insofar as the same concerns the Applicant."

7. Criminal Application is allowed and disposed.

[MILIND N. JADHAV, J.]

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