IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.38 OF 2026

1. Sachan Amarlal Ramrakhiani	]
2. Shreyas Pratap Bhatnagar	]
3. Rajni Amarlal Ramrakhiani	] .. Petitioners
Versus	
1. Dnyaneshwar Sabale	]
2. Unknown Police Officer	]
Stationed at Mahatma Phule Police Station	]
3. Anil Arjundas Ballani	]
4. Karan Anil Ballani	]
5. Kanika Kishore Thakur	]
6. Commissioner of Police, Thane	]
7. Hemant Devanand Patil	]
8. The State of Maharashtra	]
9. Union of India,	]
Represented by:	]
(i) The Under Secretary (Legal),	]
Ministry of Home Affairs	]
(ii) Ministry of External Affairs (MEA)	] .. Respondents

Mr. Amarlal H. Ramrakhiani, i/by Mr. Vaibhav P. Shinde, Advocates for the Petitioners.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mr. K.V. Saste, Additional Public Prosecutor for Respondent No.8.

CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.

DATE : 12TH JANUARY 2026.

P.C. :

The petitioner no.3 is an Indian citizen who is joined by her son, namely, Sachan Amarlal Ramrakhiani and son-in-law, namely, Shreyas Pratap Bhatnagar to invoke the jurisdiction of this Court under Article 226 of the Constitution of India for enforcement of their rights under Articles 14, 19 and 21 of the

Constitution of India. The petitioners have made the following prayers in this writ petition:

> *"(a) Issue a declaration that the fundamental rights of the petitioners guaranteed under Article 14, Article 19(1)(a), Article 19(1)(d), Article 19(1)(g) and Article 21 of the Constitution of India have been grossly, flagrantly and egregiously violated by the actions and omissions of the respondents particularly respondent no.1 and respondent nos.3 to 5;*
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> *(b) Issue a declaration that the unauthorized communications dated 21st April 2025 sent by respondent no.1 through signed and stamped official letterheads and email ID <cp.thane.mfc@mahapolice.gov.in> to the United States Consulate General, Mumbai, M/s. Goldman Sachs, New York, Federal Railroad Administration, USA and any other international agencies are wholly illegal, ultra vires, without jurisdiction, in gross violation of the India-USA Mutual Legal Assistance Treaty (MLAT), 2005, the Ministry of Home Affairs Comprehensive Guidelines dated 4th December 2019 on Mutual Legal Assistance & Service of Summons/Notices Abroad, section 110 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) and the Vienna Convention on Consular Relations and are therefore null and void ab initio;*
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> *(c) Issue a writ of mandamus or any other appropriate writ, order or direction commanding respondent nos.1, 6 and 8 to forthwith withdraw, retract, revoke and recall all unauthorized communications, letters, emails and correspondence sent to foreign governments, international agencies, embassies, consulates and private entities including but not limited to the United States Consulate General Mumbai M/s. Goldman Sachs, New York, USA, M/s. Federal Railroad Administration, USA, U.S. Citizenship and Immigration Services (USCIS) and any other entity pertaining to the petitioners;*
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> *(d) Issue a writ of mandamus or any other appropriate writ, order or direction to respondent nos.8 and 9 to take immediate steps through proper diplomatic channels to communicate to the United States Department of State, United States Consulate General, Mumbai and all concerned United States federal agencies that the communications sent by respondent no.1 were unauthorized, illegal, without jurisdiction and sent in gross violation of MLAT and established international protocols and to request appropriate remedial action including but not limited to reconsideration of the visa revocation of petitioner no.3 and petitioner no.3's spouse/Adv. Amarlal H. Ramrakhiani;*
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> *(e) Issue a writ of mandamus or any other appropriate writ, order or direction directing respondent no.9 to forthwith issue a formal diplomatic communication and/or clarification to the United States Department of State and other concerned international immigration authorities, unequivocally stating that the communications transmitted by respondent no.1*

were unauthorized were issued in violation of the Mutual Legal Assistance Treaty (MLAT) and established international protocols and that the allegations contained therein against the petitioners are unverified, unsubstantiated and devoid of any lawful sanction and accordingly ought not to be acted upon; so as to neutralize the adverse consequences of such unlawful communications and to secure and restore the unfettered right of petitioner no.1, petitioner no.2, petitioner no.3 and her spouse/Adv. Amarlal H. Ramrakhiani to travel freely to and from the United States and other international jurisdictions without hindrance or restraint;

(f) Issue a writ of prohibition or any other appropriate writ, order or direction restraining respondent nos.1 to 7 and their agents, servants, privies and all persons claiming through or under them from filing any further false, frivolous, vexatious, malicious or defamatory complaints against the petitioners before any court, tribunal, statutory body or authority whether in India or abroad;

(g) Issue a writ of mandamus or any other appropriate writ, order or direction to respondent no.6 to initiate departmental proceedings against respondent no.1 for gross misconduct, dereliction of duty, abuse of official position, violation of service rules and acting in conspiracy with private individuals to harm the petitioners and to take appropriate disciplinary action including but not limited to suspension, dismissal from service and prosecution under applicable laws;

(h) Direct the Bar Council of India and Bar Council of Maharashtra and Goa to initiate disciplinary proceedings against respondent no.7 for professional misconduct rising to the level of moral turpitude in filing and prosecuting false complaints, suppressing material facts including the BCMG order dated 15th March 2025 and the BCI order dated 18th December 2024 revoking the clean chit granted to delinquent advocates, fomenting litigation in violation of Rule 18 of the BCI Rules and acting as an accessory after the fact to give effect to forged documents;

(i) Award exemplary, punitive and compensatory damages in the aggregate sum of Rs.60,00,00,000/- (Rupees Sixty Crores only) jointly and severally against the respondents for violation of the petitioners' fundamental rights as particularized below in accordance with the principles laid down by the Hon'ble Supreme Court in Nilambati Behera v. State of Orissa (1993) 2 SCC 746; D.K. Basu v. State of West Bengal (1997) 1 SCC 416; Rudul Sah v. State of Bihar AIR 1983 SC 1086 and the Chairman, Railway Board v. Chandrima Das (2000) 2 SCC 465:

Respondent(s)	*Compensation Amount in INR*
Respondent Nos.1, 2 & 6 (Police Officers) – For vicarious liability, MLAT violations, unauthorized communications, document tampering.	*25,00,00,000/-*

Respondent Nos.3 and 4 – For malicious prosecution, fomenting litigation, forum shopping, conspiracy, criminal intimidation, harassment, fraud on Court and abuse of process.	*20,00,00,000/-*
Respondent No.5 – For espionage activities during family visit (07.09.2024 to 09.09.2024), professional misconduct as Chartered Accountant, conspiracy, breach of trust.	*5,00,00,000/-*
Respondent No.7 – For malicious prosecution, fomenting litigation, forum shopping, conspiracy, criminal intimidation, harassment, fraud on Court and abuse of process.	*10,00,00,000/-*
TOTAL …..	*60,00,00,000/-*
The petitioners hereby solemnly undertake and unequivocally state that the entire compensation amount awarded by this Hon'ble Court shall be donated in full [100%] to such Charitable Institution(s) as this Hon'ble Court may in its wisdom deem fit and appropriate. Not a single rupee will be retained by the petitioners received towards this compensation.	

(j) Direct the registration of First Information Report (FIR) against respondent nos.1, 3, 4, 5 and 7 for offences punishable under sections 318(4), 316(2), 336(2), 338, 340(2), 61 read with 3(5), 308, 351(3) of the Bharatiya Nyaya Sanhita 2023 and sections 43, 66, 66C, 66D, 66E, 72 and 72A of the Information Technology Act, 2000 based on the Forensic Document Examination Report dated 3rd October 2025 establishing document tampering and the evidence of MLAT violations and criminal conspiracy on record;

(k) Direct the Central Bureau of Investigation (CBI) to investigate the criminal conspiracy between respondent nos.1 and 2 (police officers) and respondent nos.3, 4, 5 and 7 (private individuals) involving abuse of state machinery, international MLAT violations, document forgery and systematic harassment of the petitioners in view of the global ramifications and involvement of state actors;

Interim Reliefs:

Pending the hearing and final disposal of this writ petition, the humble petitioners most respectfully pray that this Hon'ble Court may graciously be pleased to grant the following interim reliefs:

(l) Restrain respondent nos.1 to 7 from sending any further communications to foreign governments, international agencies, employers, embassies, consulates or any other entity, whether in India or abroad, regarding the petitioners or any member of their family, without prior leave of this Hon'ble Court;

(m) Restrain respondent nos.1 to 7 from filing any fresh complaint, FIR or initiating any proceedings against the petitioners before any court, tribunal or authority without prior leave of this Hon'ble Court;

(n) Direct respondent no.1 not to leave India pending the disposal of this writ petition without prior permission of this Hon'ble Court in view of the serious allegations of MLAT

violations and conspiracy with international ramifications;

(o) *Direct respondent nos.8 and 9 to immediately issue communications through proper diplomatic channels to the United States Department of State, United States Consulate General Mumbai and other concerned authorities clarifying that the communications sent by respondent no.1 were unauthorized and should not be relied upon pending final adjudication of this writ petition;*

(p) *Direct preservation of all records, emails, communications and documents pertaining to the unauthorized communications sent by respondent no.1 to foreign entities including server logs, email trails and official correspondence pending disposal of this writ petition;*

(q) *Grant protection to the petitioners from arrest, detention or coercive action arising from any complaint filed by respondent nos.3 to 5 pending final adjudication of this writ petition;*

(r) *Direct respondent no.8 to deposit an interim compensation of Rs.50,00,000/- (Rupees Fifty Lakhs only) with the Registry of this Hon'ble Court within four weeks as ad-hoc compensation for the violation of the petitioners' fundamental rights, subject to final adjudication;*

(s) *Award costs of this petition including advocate's fees, court fees and all incidental expenses against the respondents jointly and severally;*

(t) *Pass such further and other orders as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case in the interest of justice;*

(u) *Grant liberty to the petitioners to amend, alter, add to or modify the prayers herein during the pendency of this writ petition."*

2. In the course of hearing, the learned counsel for the petitioners stated that the Police Officer has sent communications beyond the territory of India and informed the other authorities in different countries regarding some allegation made against the petitioner nos.1 and 2 and the spouse of petitioner no.3 on the basis of unverified complaint and allegations made by the respondent no.3. The learned counsel for the petitioners referred to an order dated 18th December 2024 passed in Revision Petition No.60 of 2024 to demonstrate that there are adverse observations made by the Bar Council of India against the respondent no.7. According to the learned counsel for the petitioners, a complaint case vide OMCA No.220 of 2025, that is, Anil v. Amarlal & Ors. is

based on false and frivolous allegations and the Judicial Magistrate (F.C.), 1st Court, Kalyan issued notice to the accused persons in a petition which is not accompanied by the statement of the complainant on solemn affirmation. A challenge to the order dated 15th April 2025 in OMCA No.220 of 2025 is pending before a learned Single Judge of this Court in Criminal Application No.571 of 2025.

3. In the first place we would indicate that the aforementioned prayers made in this writ petition cannot be granted. The prayers in this writ petition are formulated in a manner so as to conduct a rowing inquiry into the matter. There are allegations made against the parties and the matter is before the learned Magistrate and in this Court. While seeking declarations and directions framed under eight clauses in the prayer portion, the petitioners seek award of exemplary, punitive and compensatory damages to the tune of Rs.60 crores. The petitioners are also seeking registration of a First Information Report against the respondent nos.1, 3, 4, 5 and 7 for the commission of offences under sections 318(4), 316(2), 336(2), 338, 340(2), 61 read with sections 3(5), 308, 351(3) of the Bharatiya Nyaya Sanhita 2023 and sections 43, 66, 66C, 66D, 66E, 72 and 72A of the Information Technology Act, 2000. The petitioners also seek a direction to the Central Bureau of Investigation to conduct an investigation into the alleged criminal conspiracy between respondent nos. 1 and 2 (police officers) and respondent nos. 3, 4, 5 and 7 (private individuals). According to the petitioners, the said respondents abused State machinery, violated the provisions of the Mutual Legal Assistance Treaty, indulged in forgery of documents, and subjected the petitioners to systematic harassment, purportedly giving rise to issues with

international and global ramifications involving State actors. The interim prayers in this writ petition are spread over ten clauses. The exercise of powers under Article 226 of the Constitution of India is based on well settled legal principles. The jurisdiction under Article 226 of the Constitution of India cannot be invoked to adjudicate serious and disputed questions and that too touching upon criminal acts and omissions of the parties.

4. Having regard to the aforesaid consideration, we are not inclined to entertain this writ petition and accordingly **Writ Petition No.38 of 2026 is dismissed**.

[GAUTAM A. ANKHAD, J.] **[CHIEF JUSTICE]**

SNEHA ABHAY DIXIT
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