

JVS.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4570 OF 2025

JAYANT
VISHWANATH
SALUNKE

Om Vijay Patil } Petitioner
Versus
The Commissioner of Police, Pune & Ors. } Respondents

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JAYANT VISHWANATH
SALUNKE
Date: 2026.04.23
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Mr. Harshwardhan M. Pawar, Advocate for Petitioner.

Mr. S. V. Gavand, APP for Respondent Nos. 1 to 3.

**CORAM: SHREE CHANDRASHEKHAR, C.J. &
SHYAM C. CHANDAK, J.**

DATE: 16th APRIL 2026

Per, Shree Chandrashekhar, CJ:

The petitioner is aggrieved by the detention order passed on 26th May 2025 which was followed by the committal order of the same date.

2. To challenge the said detention order, Mr. Harshwardhan M. Pawar, the learned counsel for the petitioner submits that there is no reason disclosed by the detaining authority why it is necessary to detain the petitioner. The detaining authority relied upon a single crime against the petitioner but that cannot be a ground as held by the Hon'ble Supreme Court in "*Khaja Bilal Ahmed*"¹ to pass a detention order. The learned counsel for the petitioner further submits that with reference to a singular crime, the petitioner could not have been declared as a dangerous person as defined under section 2(b-1) of the The Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders and Dangerous Persons Act, 1981 (in short, Maharashtra Prevention of Dangerous

1. *Khaja Bilal Ahmed v. State of Telangana & Ors.*: (2020) 13 SCC 632

Activities Act.)

3. The pattern of crime as disclosed in the detention order dated 26th May 2025 discloses that Crime No. 279 of 2024 was registered against him for committing offences under sections 307, 323, 504, 34 of Indian Penal Code, 1860, section 4(25) of the Arms Act, 1959 and sections 37(1)(3) and 135 of the Maharashtra Prevention of Dangerous Activities Act. Within a year, the petitioner was involved in another criminal activity vide Crime No. 23 of 2025 which was registered on 22nd January 2025 for committing offences under sections 309 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short, BNS). It further appears that he was already arrested on 11th March 2025 in connection to Crime No. 30 of 2025 registered for committing offences under sections 333, 115(2), 352, 351(2), 3(5) of BNS, sections 37(1) and 135 of the Maharashtra Prevention of Dangerous Activities Act and section 7 of Criminal Law Amendment Act. The detaining authority has recorded the details of preventive action against the petitioner vide Chapter Case No. 5 of 2024 which was in fact withdrawn under section 137 of the Bharatiya Nagrik Suraksha Sanhita, 2023 for taking more effective action against the petitioner. The detaining authority has characterized the petitioner as weapon-weilding dangerous recidivist of violent nature indulging in criminal activities that foster terror in the society. He has further recorded that the petitioner has become a perpetual danger to the lives and properties of people residing and carrying out their daily activities and vocations in the jurisdiction of Sangvi and Chatushrunji Police Stations in district Pune.

4. The decision in “*Khaja Bilal Ahmed*” turns on the peculiar facts in that case where a categoric observation has been made by the detaining authority that he was not at all considering the

crimes committed by the detainee between the years 2009 and 2016 for passing the detention order. Whereas, in the present case in paragraph no. 4 of the detention order, the detaining authority has noticed the recent criminal activities of the petitioner which, according to him were prejudicial to the public maintenance order. However, Mr. Harshwardhan M. Pawar, the learned counsel for the petitioner would refer to the statement in the order dated 26th May 2025; *“I have considered following one offence mentioned below at para no. 5.1 and two in-camera statements mentioned at para no. 6.1 and 6.2 to issue this detention order”*.

5. Quite apparently, this is not a case where the detention order has been passed against the petitioner taking into account a solitary incident. In the FIR of said C.R.No.30 of 2025, the first informant has made serious allegations against the petitioner. In brief, the informant disclosed that, when he was having dinner on 13th January 2025, at around 9:30 p.m., the petitioner and his accomplice, namely, Pranav Rote, Shlok Sonar and Alim Sayyed entered his house and started kicking the doors of the house and then indulged into fighting. They threatened the informant with *Koyta* (sickle) and warned him not to mess with them. The detaining authority has further recorded that, during investigation the statements of the witnesses were recorded. Similarly, spot panchanama, body search panchanama and memorandum panchanama were made. The in-camera statement of confidential witness ‘A’ who has narrated about the incident of 7th March 2025 and similar statement of witness ‘B’ who has narrated about the incident that occurred around 10:45 p.m. on 10th March 2025 have been recorded. The narration of criminal activities of the petitioner clearly falls under the definition of a “dangerous person”. His acts

are such that he could create reasonable fear in the minds of the people in the neighborhood at the jurisdiction of Sangvi and Chatushrungi Police Stations in the district of Pune.

6. Having regard to the limited jurisdiction of the High Court to look into the subjective satisfaction of the detaining authority to weigh sufficiency of the evidence taken into consideration by the detaining authority, we find no reason to interfere in this matter.

7. Accordingly, Writ Petition No. 4570 of 2025 is dismissed.

[SHYAM C. CHANDAK J.]

[CHIEF JUSTICE]