

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

CRIMINAL WRIT PETITION NO.5622 OF 2025

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Sallauddin Mohammed Sayed

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.. Petitioner

Vs.

The Commissioner of Police & Ors.

.. Respondents

...

Mr. Bhaskar J. Sarawade, Advocate for the Petitioner

Mr. S. V. Gavand, Additional Public Prosecutor for
Respondent Nos.1 to 3

Mr. Ramesh Yadav, Senior PI, Mr. Handal, API,
Mr. Nimbalkar, PSI, Mr. Gavali, PSI, Deonar Police Station

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

DATE : 6th APRIL 2026

P.C. :

Aggrieved by the detention order dated 30th May 2025, the petitioner who has a formidable criminal past has approached this Court under Article 226 of the Constitution of India.

2. There were as many as six criminal cases of serious nature pertaining to the offences under sections 307, 324, 427 etc. of the Indian Penal Code, 1860, various provisions under the Maharashtra Police Act, 1951 and the Arms Act, 1959. This is a matter of record that there were at least three instances in the past when preventive actions were taken against the petitioner. He has breached the externment order in connection to Crime Register No.509 of 2023. The pattern of crime committed by the petitioner discloses that he has continuously engaged himself in criminal activities right from 2020.

3. The learned counsel for the petitioner refers to the decisions in “*Khaja Bilal Ahmed*¹” and “*Omkar Umakant Kasbe*²” and submits that the offences alleged against the petitioner are of private nature and in all the cases he has been granted bail. The nature of allegations levelled against the petitioner is not such which can be construed to be prejudicial to the maintenance of public order. The in-camera statements of the witnesses considered by the detaining authority does not disclose any specific date and time of a criminal activity of the petitioner.

4. In the first place, this needs to be indicated that the petitioner has been found as a dangerous desperado having violent character who has adopted a criminal life pattern for the sake of easy money. He along with his associates moved around the local area armed with various kinds of weapons like knife, belt, wooden bamboo, sword, cutter, chopper etc. As noticed above, they engaged themselves in the crime of attempting to commit murder, extortion, hurt, voluntarily causing hurt, issuing threats with dire consequences, intentional insult, wrongful restraint, criminal intimidation, mischief causing damage, illegal possession of lethal weapon etc. The in-camera statement given by the witness records that in the second week of March 2025 that witness observed that the petitioner and his associates were forcibly extracting money from the people while threatening them. The petitioner whipped out a chopper and put the same on the neck of the witness and threatened him. He along with his associates started assaulting the witness. Another witness whose in-camera statement has been recorded gives a vivid description of an incident which took place in the last week of

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

² *Omkar Umakant Kasbe v. The State of Maharashtra & Ors.* 2025 ALL MR (Cri.2081)

March 2025. There is no need to refer to all the allegations levelled against the petitioner and suffice it would be to indicate that there were sufficient materials before the detaining authority who has passed the detention order dated 30th May 2025. The subjective satisfaction of the detaining authority is based on the materials referred in the order dated 30th May 2025 and it is not open to challenge on a mere showing of some mistake in the said order. In the facts of this case this is also not a ground to interfere with the detention order for the reason that the petitioner has been granted bail. The decisions in “*Khaja Bilal Ahmed*” and “*Omkar Umakant Kasbe*” referred to by the learned counsel for the petitioner are distinguishable on facts.

5. In view of the aforesaid discussion, Writ Petition No.5622 of 2025 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]