



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.5929 OF 2025**

Somajit Bhattacharyya ... Petitioner
versus
State of Maharashtra and Ors. ... Respondents

Mr. Nagesh Chavan i/by Ms. Anita Patil, for Petitioner.
Mrs. R.S.Tendulkar, APP for State.

**CORAM: N.J.JAMADAR, J.
DATE : 16 JANUARY 2026**

P.C.

1. Heard Mr. Chavan, the learned Counsel for the Petitioner.
2. The challenge in this Petition is to a judgment and order dated 3 October 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Revision Application No.268 of 2025, whereby the said Revision Application preferred by the Petitioner against the order dated 8 April 2025 passed by the learned Magistrate, dismissing the complaint i.e. Criminal M.A.No.2124 of 2024 filed by the Petitioner – complainant, for the offences punishable under Sections 5 and 7 of the Maharashtra Protection of People from social Boycott (Prevention, Prohibition and Redressal) Act, 2016 and Sections 500 and 504 read with Section 34 of the Indian Penal Code, 1860, came to be dismissed.
3. Mr. Chavan, the learned Counsel for the Petitioner took the Court through the allegations in the complaint and the material on record. Mr.

Chavan urged that the learned Magistrate dismissed the complaint in a mechanical manner, though a clear case of social boycott of the complainant was made out. It was submitted that the learned Magistrate did not apply correct test in the matter of issuance of process and dismissed the complaint by simply recording the gist of the statements of the witnesses recorded during the course of the inquiry. Learned Sessions Judge was also in error in dismissing the revision application, without properly evaluating the complaint and the material on record, urged Mr. Chavan.

4. I have perused the allegations in the complaint and the material on record. I find it rather difficult to accede to the submissions of Mr. Chavan. From the perusal of the allegations in the complaint, one gets an impression that the complainant has a litany of grievances ranging from the deliberate downward appraisal of the wife of the complainant in a music examination, to removal of the complainant from the executive committee of the Trusts / organizations of Bengali community in Pune, to the intentional refusal to place catering orders with the hotel, purportedly run by the complainant with two other partners, to the removal of the complainant from the membership of one of the trusts and deliberate blocking of the complainant from the WhatsApp groups. Various acts and omissions are attributed to the proposed accused. Myriad allegations have been made against a number of persons.

5. In the face of such vague, omnibus and myriad allegations, the learned

Magistrate was justified in holding that no prima facie case for the offences punishable under Sections 5 and 7 of the Act, 2016 was made out. It was noted that the complainant and his family members were involved in the organization of the cultural festivals in one of the organizations and the responsibility of Durga Puja Food Committee was entrusted to the complainant in the year 2023, and, that the complainant and his family members had participated in the cultural programme for the year 2023-24.

6. The material on record indicates that the complainant was aggrieved by a variety of acts or omissions of a number of persons. There were counter-allegations against the complainant, and few reports were also lodged against the complainant. The legality and correctness of the action taken against the complainant in relation to the membership of the trusts / organizations can be assailed by the complainant in appropriate proceedings. However, the material on record does not even remotely sustain the charge that the alleged actions were actuated by a design to ostracize the complainant and enforce the social boycott qua the complainant. Thus, this Court does not find any legal infirmity in the impugned orders.

7. Resultantly, the Writ Petition stands dismissed.

(N.J.JAMADAR, J.)