

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

CRIMINAL APPLICATION NO. 5 OF 2026

Reliance Chemicals ...Applicant

Versus

State of Maharashtra and anr. ...Respondents

Mr. Jayesh R. Kalebere, i/by Kalebere Legal Associates, for the
Applicant.

Smt. R. S. Tendulkar, APP for the Respondent-State.

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CORAM: N. J. JAMADAR, J.

DATED: 26th MARCH, 2026

PC:-

1. Heard the learned Counsel for the applicant.
2. The learned Counsel for the applicant seeks leave to file an affidavit of service.

Leave granted.

3. The affidavit of service is taken on record.
4. The challenge in this application is to a purported notice issued by the Special Executive Magistrate under Section 145 of the Code of Criminal Procedure, 1973 ("the Code"). The Court finds that the said notice was issued on 30th May, 2024. The Special Executive Magistrate has recorded that there was a

likelihood of breach of peace on account of a dispute over the possession of the property.

5. The learned Counsel for the applicant submitted that Respondent No.2 has committed criminal trespass over the subject property. As the challenge in this application is to a notice under Section 145 of the Code, and that too issued on 30th May, 2024, there is no propriety in entertaining this application.

6. So far as the grievance of the applicant that Respondent No.2 has committed criminal trespass over the subject property. Suffice to note that, the grievance of the applicant in regard to the alleged criminal trespass by Respondent No.2 cannot be legitimately inquired into in an application under Section 482 of the Code. The applicant would be at liberty to invoke the remedies as available in law.

7. Keeping all the options to invoke the remedies as available in law open, the application stands disposed.

[N. J. JAMADAR, J.]