

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

WRIT PETITION NO. 2280 OF 2026

Gopal Dass and Others ... Petitioners
versus
The State of Maharashtra and Others ... Respondents

...
Ms.Padmavati Vaishya with Mr.Jitesh Jadhav and Ms.Swati Jadhav for the
Petitioners.

Mrs.M.M.Deshmukh, I/c. PP for the Respondent -State.

Mr.Jitendra B. Mishra with Mr.Ashutosh Mishra and Mr.Rupesh Dubey for
Respondent Nos. 2 and 3- Union of India.

...
**CORAM : RAVINDRA V. GHUGE &
HITEN S.VENEGAVKAR, JJ.**

DATE : APRIL 29, 2026

P.C:

1. Leave is granted to the delete the name of Respondent No. 9.

Deletion be carried out forthwith.

2. We have heard the learned Advocate for the Petitioner, the
learned I/c. PP for the Respondent, State and the learned Advocate for
Respondent Nos. 2 and 3, Union of India.

3. A crew of approximately 50 persons are inside the vessels,
namely, MT Asphalt Star, MT Stellar Ruby, and MT Al Jafzia. The said
vessels have been placed under arrest. The grievance of the Petitioners is

that the owners of the vessels have abandoned the vessels, as well as, have deserted the crew. The crew members are inside the vessels in the Arabian Sea, at a distance of about Alpha Anchorage 11 nautical miles from Mumbai. The crew members have access to only limited quantities of food, and the available stock of food and potable water is depleting. It would not be too far that they would not be able to have food or potable water, considering that they are inside the vessels since 09.02.2026.

4. In the peculiar facts and circumstances stated above, we called upon the State to make necessary arrangements for the supply of food and potable water to the crew members, and to recover the cost thereof from the owners of the said vessels. The valuation of the vessels would be carried out, and such expenditure would be treated as part of the maritime lien.

5. None of the crew members is an accused. None of them is a foreign national. In fact, all of them are Indian citizens.

6. We are informed that the Indian Coast Guard is ensuring that the crew members are being routinely medically examined and provided treatment. We would expect the same to be continued.

7. Despite valuation having been permitted in another proceeding, the owners of the vessels, i.e., Respondent Nos. 4 to 8, have practically abandoned the vessels.

8. We are informed that two of the three vessels are 'unseaworthy'. We would call upon the Director General of Shipping to carry out the valuation of all the three vessels. The expenditure component as regards the supply of food, potable water, medicines, and all other civil amenities, would also be added up to the total of the valuations of the three vessels.

9. We are listing this Petition, in the urgent admissions category, on **04.05.2026, high on board**.

10. In the meanwhile, Respondent No. 1 would serve notice to Respondent Nos. 4 to 8 and ensure their presence on 04.05.2026, in the Court.

11. We make it clear that if Respondent Nos. 4 to 8 do not appear before us on Monday, i.e., 04.05.2026, we would be constrained to pass an order directing that the three vessels be taken to Alang Ship Breaking Yard,

after releasing the crew members, and retained there until further orders.

The cost of moving the vessels to Alang Ship Breaking Yard would be recovered from the owners.

(HITEN S.VENEGAVKAR, J.)

(RAVINDRA V. GHUGE, J.)