

ORDER PASSED BELOW EXH.1 IN CRI.M.A. NO.1077/2025.

(CNR NO. MHPU090096422025)

**Satish Mohan Sherkhane Vs Krushna Ankush Rajiwade & Ors.**

1. This is an application filed by applicant Satish Mohan Sherkhane under section 100 of the BNSS to issue Search Warrant against the respondent.

2. It is submitted in the application that, the minor girl of the applicant is missing and it is certain that she has been kept by the accused Krushna in Pune District only. Last time victim and Krushna were seen traveling in local transport bus in Punawale. The police was updated same on 04/11/2025. There is a big threat to the safety and security of the victim. The victim is student of 12th standard and she is at loss of more than 45 days of her school, which will impact her future. Therefore, search and production warrant may kindly issued to produce minor victim before this Court.

3. I have heard learned advocate for the applicant. Father and mother of victim are present before this court and they also stated that their minor daughter is kidnapped and as per police the investigation is going on. They have seen victim and Krushna in Punawale on 04/11/2025. Parents of the victim are crying before this court and requested to this court that necessary action may kindly be take against respondents.

4. After hearing of parents of victim and learned advocate for the applicant, this court has issued notices to respondent Nos. 1 to 3 for

filing their say. Notices were served to respondent Nos. 2 and 3. They have appeared before this court and filed their say. They denied all allegations made in the application and stated that respondent Nos. 2 and 3 and their entire family co-operated to the investigation at every stage. The victim was reported as missing on 25/09/2025. Thereafter, on 27/09/2025, the police visited the house of respondent No. 1 Krushna Rajiwade. The police also executed notices to respondent Nos. 1 and 2. All family members of respondents were present in police station and they have co-operated with the police inquiry. During said inquiry, the police pressurized to respondent No. 1 Krushna by making allegations as regard to the missing girl. Due to this mental pressure, respondent No. 1 has written a letter stating that he was going away temporarily due to police harassment and false allegations, he will returned once when the victim find. After leaving this letter in his room, he is missing since 27/09/2025. Immediately, thereafter respondent No. 2 has filed a missing report of respondent No. 1 Krushna at Chinchwad Police Station.

5. It is further contended that, the investigation of the said crime appears to be proceeding in a misguided directions, ignoring the victim's letter. They have no objection to pass any order regarding search or production of minor missing girl. The allegations that respondents have withheld the victim or know about her are completely incorrect. Therefore, they prayed that direct the police to conduct a fair, impartial unbiased investigation and ensure protection of respondent No. 2 and his family, considering the threat issued by the victim's sister. Respondent No. 2 and 3 both are present before the court and stated as per contentions in their say. This court has asked them about status of

respondent No. 1. They have stated that respondent No. 1 is missing since 27/09/2025. They did not know anything about respondent No. 1 Krushna.

6. Notice was not served to respondent No. 1 as he is absconding. I have perused application. It appears that the applicant has made serious allegations against respondent No. 1 Krushna for kidnapping a minor girl. The applicant has registered crime against unknown person on 25/09/2025 for offence punishable under section 137(2) of BNS. Admittedly, investigation is going on in respect of said crime. Concerned I.O. stated that, investigation of the said crime is going on since date of registration of first information report. During investigation as per information provided by the applicant, he is trying to trace out respondent No. 1 Krushna. But he is not traced out till today, he has absconded. I.O. has orally stated that, during investigation the applicant has stated fact to him that on 04/11/2025 the applicant got information that someone has seen to minor victim and Krushna in Punawale. Accordingly, he has visited Punawale and inquired about victim and respondent No. 1 Krushna on 14/11/2025. After inquiry with local shop keeper in Punawale it reveals that victim and Krushna both came to his shop. Now, accordingly further investigation is going on.

7. Heard I.O. From the provision of section 100 of the BNSS, it is made clear that, before issuing search warrant it is incumbent for the applicant to prove and establish that, there is illegal confinement and that confinement must amounts to an offence. In the light of provisions of section 100 of the BNSS, I scrutinized the facts and circumstances of

the present case. It appears that, as per allegations made by the applicant, the minor girl is missing on 25/09/2025 and it is certain that she has been kept by the respondent No. 1 Krushna. He has seen the victim and Krushna in Punawale while traveling in local transport. In support of contentions, the applicant has filed first information report which is registered against unknown person, aadhar card of victim, school leaving certificate of victim, photograph of respondent No. 1 who is suspected, also filed one written note of victim, written communication to concern officer of Chinchwad Police Station, Pune dated 20/10/2025 written communication to the Commissioner of Police dated 03/11/2025, intervention application to DGP, Maharashtra Police in respect of kidnapping case of minor daughter of applicant, which is pending in Chinchwad Police Station. I have perused all these documents. After perusal of it, it appear that the applicant made serious allegations against respondent No. 1 Krushna Rajiwade for kidnapping minor daughter. Prima facie allegations in application, documents on record and oral contention of I.O. it discloses that, minor girl is missing and she has been kept by respondent No. 1 Krushna with him. Therefore, in the facts and circumstances for the welfare of minor victim. I proceed to pass following order :-

ORDER

1. Issue search warrant against respondent No.1 i.e. Krushna Rajiwade, under section 100 of the BNSS to produce minor girl Smruti Satish Sherkhane and for the propose concern police station can take search of the place where said minor girl(victim) confined and shall produced before this court without unnecessary delay.
2. The concern police officer, Chinchwad Police Station is hereby directed that he shall avail all recourse for search of minor girl (victim) as per law.

3. Issue letter accordingly to concerned police station returnable on 10/12/2025.

Date:-27/11/2025

(G.G. Auti)
Judicial Magistrate First Class,
(Court No.6), Pimpri, Pune

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are the same, word to word, as per the original Order.

Name of the Stenographer	:-	B. S. Jamkhandi[Steno III]
Name of the Court	:-	G. G. Auti 6 th Jt. J.M.F.C. & C.J.J.D Pimpri Pune.
Date	:-	27.11.2025
Order signed by the Presiding Officer on	:-	27.11.2025
Order uploaded on	:-	28.11.2025