

MHRG170007672026	Presented on : 28/04/2026
	Registered on : 28/04/2026
	Decided on : 13/08/2026
	Duration : yy/mm/days 00/03/16

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE AT PANVEL,
DISTRICT - RAIGAD
(Presided over by Santosh R. Chavan)**

Cri. Rev. Appln. No. 26/2026

Exh.No. 10/A

Prince Kumar Sanjeet Mukhiya }

Age– 18 years, }

R/o- Prathamesh Developers, }

Bhisegaon, Tal. Karjat, District-Raigad. } **...Applicant**

Versus

1. **The State of Maharashtra** }
- Through Karjat police station. }
-
2. **Deputy Tahsildar and** }
- Special Executive Magistrate** }
- W86G+H2P, Karjat Court Road, }
- Amrai, Karjat- 410 201. } **...Respondents**

Represented by

Ld. Advocate for Applicant : Mr. Dinesh Tiwari

Ld. Adv. for Respondent No.1 and 2 : Addl. P.P. Shri. Y.S. Bhopi

- : J U D G M E N T :-
(Delivered on 13/08/2026)

1) Applicant filed this revision application against the chapter case No. 289/2026 initiated before Executive Magistrate, Karjat for taking bond to keep peace under Section 126 read with 130 of Bhartiya Nagrik Surakasha Sanhita, 2023 (BNSS).

2) Revision Applicant's case in nutshell is as under:-

The chapter case No.289/2026 has been initiated on the basis of FIR No.61/2026 filed by Mrs. Vaijyanti Jadhav wherein allegations of assault and molestation were made against applicant and others. The allegations are made in FIR are totally false. The applicant is the victim of conspiracy hatched by Vaijyanti Jadhav and her husband Jayesh Jadhav thereby they trapped Mr. Chandrabhuwan Shukla and mercilessly assaulted him for which he has also registered FIR No. 62/2026 against them. There is no material on record which can suggests that the applicant is likely to commit breach of peace. The applicant was not given opportunity to present her case. The procedure prescribed under Section 126 read with 130 of the BNSS has not been complied with by the Executive Magistrate. There is no material on record to show that the applicant threatened or endanger life and safety of Vaijyanti Jadhav and her husband. Being aggrieved and dissatisfied with proceeding initiated under

Section 126 read with 130 of the BNSS the applicant preferred this revision application.

3) Heard learned advocate Mr. Dinesh Tiwari for the applicant and learned advocate Mr. Y.S. Bhopi for respondent Nos.1 and 2. The following points arise for my determination and my findings on each of them with reason thereon are as under:-

Sr. No.	Points	Findings
1	Whether impugned chapter case proceeding initiated before Executive Magistrate is incorrect, illegal and calls for interference?	Yes
2	What Order?	Revision is allowed.

:- REASONS :-

POINT NO.1 :-

4) On perusal of record of the case it appears that, the applicant is accused in CR.No. 61/2026 Karjat Police Station for offence punishable under Section 74, 118(1), 115(2), 351(2), 352 read with 3(5) of the BNS. Original complainant is Vaijyanti Jayesh Jadhav. It further appears that cross complaint FIR No. 62/2026 was also filed by Chandrabhuwan Shukla against Vaijyanti Jadhav and her husband for offence punishable under Section 118(1), 115(2), 351(2), 352 read with 3(5) of the BNS.

5) Ld. Executive Magistrate, Karjat received information from Karjat police station that the present applicant and others

are likely to commit breach of peace and disturb the public tranquility by letter dated 11/02/2026. On the basis of the said information Ld. Executive Magistrate initiated Chapter case proceeding against the present applicant and others. Photo copy of roznama of the said proceeding is filed on record. It shows that on 18/02/2026 applicant appeared in the said chapter case proceeding through their Advocate. The applicant was asked to Execute bond. However, applicant's Advocate refused to execute the said bond. It was stated before the Executive Magistrate that the applicant was intending to approach the Higher Court. Notice of this revision application was issued to Executive Magistrate-Respondent No.2. Accordingly, respondent No.2 appeared. However, nothing is brought on record to show that the Executive Magistrate is satisfied that the applicant is likely to commit breach of peace. No order regarding satisfaction of the Executive Magistrate for issuing notice and taking bond was passed. Prima facie it appears the Ld. Executive Magistrate has not conducted preliminary inquiry to arrive at conclusion that conduct of the applicant was likely to cause breach of peace. Solely on the basis of single FIR and report forwarded by police without any specific order Ld. Executive Magistrate initiated chapter case. Therefore, I find that there is no sufficient material to initiate chapter case against the applicant. Moreover, the chapter case was initiated without any specific order regarding satisfaction of the Ld. Executive Magistrate. Therefore, I find that chapter case No. 289/2026 initiated against present applicant before Ld. Executive

Magistrate is not correct and proper, which requires interference by this Court. I answer point No.1 in the affirmative. As a result, I pass following order:-

ORDER : -

1. Revision application is allowed.
2. Chapter case No. 289/2026 proceeding pending before Ld. Executive Magistrate, Karjat is hereby quashed and set-aside.
3. No order as to costs.

(Dictated and pronounced in open Court)

Panvel.
Dated: 13/08/2026

(Santosh R. Chavan)
Addl. Sessions Judge
Panvel, Dist.-Raigad.