



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

36 CRIMINAL WRIT PETITION NO. 1318 OF 2025

**DIPAK MACHHINDRANATH MULEY
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

....

Ms Rashmi S. Kulkarni a/w Mr. Mayur B. Borse, Advocates for
Petitioner

Mr. P. S. Patil, APP for Respondent Nos. 1 and 2

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**CORAM : SANDIPKUMAR C. MORE AND
Y. G. KHOBRAGADE, JJ.**

DATE : December 22, 2025

PER COURT :-

1. The matter is already argued by the learned counsel for the petitioner. However, quashment for offence under Section 11 of the Maharashtra State Prevention of Desecration of Statute Act, 1997 is also sought in this petition.

2. We had requested the learned APP to search for the said Act. However, after taking instructions, the learned APP orally submitted that no such act as above is in existence. He pointed out that the person attached to Law and Judiciary Department, had in fact, provided the said information.

3. The record shows that the learned APP has also made oral communication with the Law and Judiciary Department and inquired as to existence of such act.

4. Under such circumstances, we deem it appropriate to issue direction to the Joint Secretary, Law and Judiciary Department of the State of Maharashtra, to submit copy of the aforesaid Act, if in existence.

5. We also made it clear that the pendency of criminal case before the concerned judicial officer, shall not be treated as an impediment for appointment of the petitioner as Driver / Jawan, in State Excise Department.

6. Stand over to 08.01.2026.

[Y. G. KHOBRADE, J.]

[SANDIPKUMAR C. MORE, J.]

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