

ITEM NO.38

COURT NO.13

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 1147/2026

[Arising out of impugned final judgment and order dated 11-12-2025 in CRLAPP(APL) No. 1615/2025 passed by the High Court of Judicature at Bombay at Nagpur]

DNYANESHWAR MAROTRAO MAHADULE & ANR.

PETITIONER(S)

VERSUS

OMPRAKASH SHOBHARAM GAWHANE & ORS.

RESPONDENT(S)

IA No. 19175/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 19170/2026 - EXEMPTION FROM FILING O.T.

Date : 02-02-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :

Mr. Ritesh Patil, AOR

For Respondent(s) :

O R D E R

The learned counsel for the petitioners submits that despite the respondents having encroached upon the Public well and also the public land, their complaint to the authorities were not acted upon, forcing them to move an application before the Judicial Magistrate First Class, Ramtek, District Nagpur, under Section 156(3) of the Code

of Criminal Procedure, 1973, in which, upon investigation, chargesheet was filed, but the High Court under the order impugned has quashed the proceedings, which is not proper. It was further submitted that in any view of the matter, the cost imposed of Rs.50,000/- (Rupees Fifty Thousand) upon the petitioners (herein) jointly, was uncalled for.

2. Issue notice.

3. In the meantime, there shall be stay of recovery of cost of Rs.50,000/- (Rupees Fifty Thousand) imposed upon the petitioners herein *vide* the impugned order, till the next date of listing.

4. List on 09.04.2026.

(POOJA SHARMA)
AR-CUM-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR