

# Vikas Umakant Choudhary vs State Of Maharashtra And Anr on 10 April, 2024

**Author: N. R. Borkar**

**Bench: Prakash D. Naik, N. R. Borkar**

17-WP(ST) - 3989-2024.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION (ST) NO. 3989 OF 2024

|                              |               |
|------------------------------|---------------|
| Harishankar Rampravesh Singh | ...Petitioner |
| Versus                       |               |
| State Of Maharashtra         | ...Respondent |

WITH  
CRIMINAL WRIT PETITION (ST) NO. 982 OF 2024

|                       |               |
|-----------------------|---------------|
| Chhotu Ramkumar Singh | ...Petitioner |
| Versus                |               |
| State Of Maharashtra  | ...Respondent |

WITH  
CRIMINAL WRIT PETITION (ST) NO. 983 OF 2024

|                                |                |
|--------------------------------|----------------|
| Vikas Umakant Chaudhary        | ...Petitioner  |
| Versus                         |                |
| State Of Maharashtra And Anr.. | ...Respondents |

WITH  
CRIMINAL WRIT PETITION (ST) NO. 992 OF 2024

|                           |               |
|---------------------------|---------------|
| Chandan Umakant Chaudhary | ...Petitioner |
| Versus                    |               |
| State Of Maharashtra      | ...Respondent |

WITH  
CRIMINAL WRIT PETITION (ST) NO. 1453 OF 2024

|                             |               |
|-----------------------------|---------------|
| Faisal Ainul Haque Siddiqui | ...Petitioner |
| Versus                      |               |
| State Of Maharashtra        | ...Respondent |

WITH

CRIMINAL WRIT PETITION (ST) NO. 1472 OF 2024

Mohammad Ibrahim Shaikh ...Petitioner  
Versus  
State Of Maharashtra ...Respondent

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WITH  
CRIMINAL WRIT PETITION (ST) NO. 326 OF 2024  
WITH  
CRIMINAL WRIT PETITION (ST) NO. 325 OF 2024

Ramesh Shamnarayan Maurya ...Petitioner  
Versus  
State Of Maharashtra ...Respondent

WITH  
CRIMINAL WRIT PETITION (ST) NO. 2747 OF 2024

Ramvilas @ Rambilash Banarasi Yadav And Anr. ...Petitioners  
Versus  
State Of Maharashtra And Anr. ...Respondents

....  
Mr. Tushar Sonawane, Advocate for the Petitioners.  
Ms. M.M. Deshmukh, APP for Respondent - State.  
Mr. Mahendra Patil, API, DCB-CID, Unit-9, Bandra(W), Mumbai.  
PSI, Takmoye, Pant Nagar Police Station.  
Mr. Swapnil B., Kashimire Police Station.  
API, R.C. Powar, Manor Police Station, Palghar in WP/2747/2024.  
Mr. Sajay Reday, PSI, Crime Branch, Navi Mumbai Police Station in  
WP/326/2024

CORAM : PRAKASH D. NAIK, &  
N. R. BORKAR, JJ.

DATE : 10th APRIL, 2024.

P.C.:

1. In all these matters the Petitioners have raised the issue of applicability of Section 328 of Indian

Penal Code and non maintainability of simultaneous proceedings for the offences under SUNNY THOTE 2 of 3 17-WP(ST)-3989-2024.doc the Indian Penal Code and Food Safety and Standards Act.

2. Learned Counsel for the Petitioners has relied upon the decision of Apex Court in the case of Ram Nath V/s. State of Uttar Pradesh and Others, 2024 SCC OnLine SC 177.

3. Mr. Sonawane also submitted that the issue about applicability of Section 328 of Indian Penal Code in such cases is pending before the Apex Court and decision is likely to be delivered shortly and hence the matters be adjourned beyond vacation.

4. Stand over to 11th June, 2024.

5. The Petitioner is at liberty to press for interim relief on the next date of hearing.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)

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