
(2021) 07 BOM CK 0024

Bombay High Court

Case No: Writ Petition No. 2093 Of 2021

Mohseen Mohammed
Sallem Nadaf

APPELLANT

Vs

D.C.P. Zone Solapur
City And Others

RESPONDENT

Date of Decision: July 6, 2021

Acts Referred:

- Maharashtra Police Act, 1951 - Section 56(1)(a)(b), 60

Hon'ble Judges: S.S. Shinde, J; N.J. Jamadar, J

Bench: Division Bench

Advocate: Jayshree Tripathi, J. P. Yagnik

Final Decision: Allowed

Judgement

Sr No.,Police Station,CR No.,Sections

1,Sadar Bazar,312/2005,"337, 324, 452, 34 IPC

2,Sadar Bazar,3005/2010,"294, 323, 504 IPC

3,Sadar Bazar,98/2012,"143, 506, 323, 336, 427 IPC

4,Sadar Bazar,171/2012,"307, 143, 149, 323, 325 IPC and 135 Mumbai Police

Act.

5,Sadar Bazar,237/2012,224 IPC.

6,Sadar Bazar,3002/2015,186 IPC and 135 Mumbai Police Act

7,Sadar Bazar,08/2017,188 IPC and 135 Mumbai Police Act.

8, Sadar Bazar, 813/2019, "332, 353, 336, 337, 143, 147, 149, 188 IPC., Section

7 of Criminal Law Amendment Act and 135

Mumbai Police Act.

outlawed order (Brown and Garner : French Administrative Law, p.127) and could not find the ground for a prosecution. On this limited ratio the",,,

appellant is entitled to an acquittal. We allow his appeal."""",,,

(emphasis supplied),,,

18. The conspectus of aforesaid consideration is that, despite the fact that the period of externment had come to an end, we are persuaded to allow",,,

the petition so that the order of externment does not entail prejudicial consequences to the petitioner. Hence, the following order:"",,,

: ORDER :,,,

(i) The petition stands allowed.,,,

(ii) The order of externment dated 20 th June, 2020, passed by the Deputy Commissioner of Police, Solapur, as modified by the order dated 6th April,"",,,

2021, in Appeal No.EA-61/2020, passed by the Divisional Commissioner, Pune, stands quashed and set aside."",,,

19. Rule made absolute in aforesaid terms.,,,