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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3209 OF 2015**

Rehan Mohammed Ismail Shaikh ... Petitioner

Versus

The State of Maharashtra ... Respondent

Mr. P.R. Dave for the petitioner.

Smt. A.A. Mane, A.P.P. for the State.

**CORAM : M.L. TAHALIYANI, J.
DATED : AUGUST 13, 2015**

P.C.

Admit. Heard finally.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Since the accused have been acquitted of the offences punishable under sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956, the order under section 18(2) of the said Act cannot be sustained. The learned appellate court has committed error in maintaining the order passed under section 18(2) of the Act. On the face of it, the order appears to be unsustainable. Hence, I pass the following order :

Writ Petition is allowed.

The order of the learned appellate court in Criminal Appeal No. 230 of 2015 directing to maintain order under section 18(2) of the Act passed by the Magistrate is set aside. Consequential reliefs to follow.

(JUDGE)