

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3729 OF 2014

Mohammed Yusuf Khan & Anr.

.. Petitioners

v/s.

The State of Maharashtra

..Respondents

Ms. Sneha Singh i/b A.M. Sarogi for the petitioners

Mrs. P.H. Kantharia, APP for respondent State

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED: 16th JUNE, 2015.**

P.C.

1. The petitioners are seeking following reliefs.

(a) that this Hon'ble Court be pleased to pass appropriate writ, order and direction directing the respondent no.1(a) to hold necessary inquiry as against the officer of the respondent no.1(b) for the high handed act on the part of the said officer and as also be pleased to direct the respondent no.1(b) to follow the orders passed by the Sessions Court passed in

Anticipatory Bail Application No.1520 of 2014 whereby, they are required to give 72 hours notice prior to arrest on such terms as this Hon'ble Court may deem fit and proper.

(b) that interim and ad-interim reliefs in terms of prayer (a) above.

2. The averments in the petition indicate that the petitioner no.1 was permitted to repair Salmabai Chawl, Kurla (E) and as against the work carried out by him, he was permitted to sell a flat. The petitioners further state that petitioner no.2 had sold a room to the petitioner no.1 and that the owners have now lodged a complaint against the petitioners. Apprehending their arrest, the petitioners filed anticipatory bail application. By order dated 11.08.2014, the Additional Sessions Judge, directed the Senior Police Inspector, Chunabhatti Police Station to give 72 hours notice to the petitioners before causing their arrest.

3. The present petitioners seek to hold inquiry against the

police officer. Needless to state that no such inquiry can be ordered on vague allegations. The relief as sought in the later part of the prayer also cannot be granted in writ jurisdiction under Article 226 of the Constitution of India.

4. Accordingly, the Writ Petition is dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)