

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 4276 OF 2014

Sandeep Ravindra Rai .. Petitioner

Versus

The State of Maharashtra .. Respondent

Ms. Anjali Patil, Advocate for the petitioner
Smt. V. S. Mhaispurkar, APP for the respondent-State

CORAM:-M.L. TAHALIYANI, J.
DATED : -27/01/2015

P.C.

Not on board. Taken on board on being mentioned for production on the ground of urgency.

2 Heard the learned counsel for the petitioner and learned APP for the respondent-State. By consent, writ petition is heard finally.

3 The petitioner claims to be occupant of the premises known as "Block No. 1, Room No. 11, Building No. 1, Noor Mohd. Beg Mohd. Compound Building, Near Kenedi Bridge, Opera House, Mumbai". The premises are ordered to be attached under Section

18(2) of Immoral Trafficking (Prevention) ((PITA) Act, by the learned Metropolitan Magistrate, 54th Court, Mazgaon, Mumbai, while deciding Criminal Case No. 693/PW/08. The applicant is not the accused in the said case. The accused have been convicted and their appeal is pending.

4 The grievance of the applicant is that though the accused are on bail, the Addl. Sessions Judge is not inclined to grant stay on the order of attachment. The prayer for stay has been rejected.

5 Since the appeal is pending against the conviction of the accused and the accused are on bail, it is just and proper that there shall be stay on the attachment order.

6 It is, therefore, directed that the premises known as “Block No. 1, Room No. 11, Building No. 1, Noor Mohd. Beg Mohd. Compound Building, Near Kenedi Bridge, Opera House, Mumbai”, shall not be attached till the final decision of appeal by the Sessions Court.

7 The further action shall be taken in accordance with
the order of the sessions Court at the time of final judgment in
criminal appeal.

8 The writ petition stands disposed of.

(JUDGE)

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