

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELATE JURISDICTION
WRIT PETITION NO.3184 OF 2016

ALONG WITH
WRIT PETITION NO.2136 OF 2016

Mr.Satyavrat Joshi a/w Mr.Balwant V. Salunkhe for
the Petitioner
Mr.S.K.Shinde P.P a/w Mr.K.V.Saste, APP for the
respondents

P.C.:

1 For the reasons separately recorded in the
Judgment, we dispose of the petitions by passing the
following order:

"(a) that this Hon'ble Court may be pleased

to exercise its powers under Article 226 of the Constitution of India, read with section 482 of the Code of Criminal Procedure, 1973 and may be pleased to quash and set aside the FIR bearing C.R.No.3028 of 2016 registered with the Koregaon Park Police Station, Pune for the offences punishable under sections 3,4, and 5 of the Immoral Traffic Prevention Act"

- (II) We, however, make it clear that the FIR is quashed only as against the petitioner. The findings recorded are only in relation to the petitioner;
- (III) Writ Petition No.2156 of 2016 is rejected subject to what is held while dealing with the submissions made on the decision of the Division Bench in the case of Freedom Firm Vs. Commissioner of Police, Pune & others;
- (IV) We direct the office of the Director General of Police to issue directions to all police stations and higher officers of the police to ensure that provisions of sub-sections 1 and 2 of section 15 of the the Immoral Trafficking Prevention Act, 1956 are scrupulously followed and when search is to be made without warrant, the same is made only by the Officers as specified in sub-section 1 of section 15. Necessary directions shall be issued within a period of two months from the date on which a copy of this Judgment and Order is forwarded by the Public Prosecutor to the

office of the Director General of Police,
Mumbai.

(A.A.SAYED,J.)

(A.S.OKA,J.)