

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

CRIMINAL PUBLIC INTEREST LITIGATION NO. 43 OF 2015

Sumeer Ramdayal Sabharwal
s/o. Late Ramdayal Sabharwal
Vs.
The State of Maharashtra and Ors.

....Petitioner
....Respondents

WITH
CRIMINAL APPLICATION No. 19 OF 2015
IN
CRIMINAL PUBLIC INTEREST LITIGATION No.43 OF 2015

Brijesh Keshavprasad Singh and Ors.

....Applicants

In the matter between

Sumeer Ramdayal Sabharwal
s/o. Late Ramdayal Sabharwal
Vs.
The State of Maharashtra and Ors.

...Petitioner
....Respondents

WITH
CRIMINAL APPLICATION No.20 OF 2015
IN
CRIMINAL PUBLIC INTEREST LITIGATION No. 43 OF 2015

Bhati Machhimar Sarvodaya Sahakari
Society Ltd.

...Applicants

In the matter between

Sumeer Ramdayal Sabharwal
s/o. Late Ramdayal Sabharwal

...Petitioner

Vs.

The State of Maharashtra and Ors.

....Respondents

WITH
CRIMINAL APPLICATION No. 21 OF 2015
IN
CRIMINAL PUBLIC INTEREST LITIGATION No. 43 OF 2015

Ekveera Devi Sahakari
Machimar Sangh

...Applicants

In the matter between

Sumeer Ramdayal Sabharwal
s/o. Late Ramdayal Sabharwal

...Petitioner

Vs.

The State of Maharashtra and Ors.

....Respondents

WITH
CRIMINAL APPLICATION No. 22 OF 2015
IN
CRIMINAL PUBLIC INTEREST LITIGATION No. 43 OF 2015

Naveen Luthra

....Applicant

In the matter between

Sumeer Ramdayal Sabharwal
s/o. Late Ramdayal Sabharwal

...Petitioner

Vs.

The State of Maharashtra and Ors.

....Respondents

WITH
CRIMINAL APPLICATION No. 43 OF 2016
IN
CRIMINAL PUBLIC INTEREST LITIGATION No. 43 OF 2015

Hotel & Restaurant Association & Anr.Applicants

In the matter between

Sumeer Ramdayal Sabharwal
s/o. Late Ramdayal Sabharwal ...Petitioner

Vs.
The State of Maharashtra and Ors.Respondents

Ms.Reshma Kurle a/w. Mr. Vinay Rathi for Petitioner
Ms. Riddhi Shah i/b. Mr.Ashok Mishra for applicant in APPI/21/2015
Mr.R.D.Soni i/b. Ram & Co. for the Applicant in APPI/43/2016
Mr.S.K.Shinde , PP a/w. J.P.Yagnik, APP for the Respondent-State.

CORAM : A.S.OKA & ANUJA PRABHUDESSAI, JJ.
DATED : 17TH NOVEMBER, 2016

P.C.

1. Perused order dated 7th June, 2016. Clause (2) of the said order reads thus:

“ We make it clear that now hearing of this petition will remain confined to the guidelines which have been issued by the Commissioner of Police. Learned Counsel for the petitioner seeks time to address the court on the

guidelines. Place the petition on 29th June, in the category of 'fresh matters'.”

2. Though a copy of the guidelines was furnished to the advocate for the petitioner, no suggestions have been submitted by the petitioner. Learned Public Prosecutor states that now the guidelines have been published and in fact they have been put on the website of the police. A copy of the published guidelines is placed on record and marked “A-1” for identification.

3. If the petitioner has any suggestions regarding the guidelines, he is free to submit his suggestions in writing to the Commissioner of Police, Mumbai. We are sure that if the petitioner submits the suggestions, the same will be considered by the Commissioner of Police. We make it clear that even the intervenors will be entitled to submit their own suggestions about the guidelines which will be taken into consideration by the Commissioner of Police.

4. With the above directions, the petition is disposed of. All

intervention applications are also disposed of. We, however, make it clear that we have not made any adjudication on the issue of the legality of the guidelines and all contentions in that behalf are kept open.

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)