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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3295 OF 2016

Raj Kala va Sanskrutik Mandal

.. Petitioner

Versus

State of Maharashtra

Through its Shivaji Nagar Police Station

Taluka – Hatkanangale, Dist. Kolhapur.

.. Respondent

Mr. Manoj A. Patil for petitioner.

Mrs. A. S. Pai, APP for State.

CORAM: NARESH H. PATIL &
PRAKASH D. NAIK, JJ.

OCTOBER 10, 2016.

P.C.

1. Petitioner's grievance is that though petitioner is registered under the Societies Registration Act, 1860 and Bombay Public Trust Act, 1950, time and again police is interfering in the functioning of the social club. The objective of the club is to allow its registered members to attend the club in the prescribed time and participate in the different games like Chess, Rummy Bridge etc. Learned counsel for the petitioner submits that the club does not allow any activities which are prohibited in law. The grievance is that there is insistence by police machinery to obtain license under Section 33(w) of the Maharashtra Police Act, 1951(for short the Act).

Learned counsel has referred to provisions of Section 2(9) and 2(10) of the Act.

2. It is submitted that in identical matters this Court had protected the petitioners and passed orders.

3. In the facts, there cannot be a blanket order of injunction granted against the Investigating Agency directing them not to enter into premises of petitioner/social club.

4. We observe that as long as the petitioner continues to carry on activities, which are in accordance with law, there is no need for police to interfere. But, in case there is reasonable ground with the police, then in such circumstances the concerned Agency would resort to appropriate steps to verify as to whether such social club is functioning in accordance with law.

5. With the aforesaid observations, petition stands disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)