

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1168 OF 2017

Mahadevi B. Dodmani.

..Petitioner.

Versus

Commissioner of Police, Pune and Others.

..Respondents.

Mr. Rajesh A. More for the Petitioner.

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

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **April 10, 2017.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. By this petition filed under Articles 226 and 227 of the Constitution of India, the Petitioner is challenging the order of the Police Commissioner and Additional District Magistrate, Pune made under sections 18 and 20 of the Immoral Traffic (Prevention) Act, 1956 whereby the subject room is ordered to be sealed.

2. The Petitioner claims that original owner of the said room was one Mr. Khanwilkar and she has purchased the room on 12th December 2013. However, it is not disputed by the Petitioner that Amina Laxman Sharma had taken this premises on leave and licence basis from the earlier owner – Mr. Khanwilkar, prior to the date of

purchase by the Petitioner. Though the Petitioner purchased the premises, she remained licensee in the premises till the date of incident.

3. Learned Counsel appearing for the Petitioner does not dispute that said Amina was carrying prostitution in the said premises. The Petitioner despite knowing this fact purchased the premises from Khanwilkar. That apart, the Petitioner did not take any step to evict said Amina. We find that before passing the impugned order the Petitioner was given opportunity of hearing. The impugned order is within the ambit of sections 18 and 20 of the PITA Act. Therefore, no interference is required. Writ petition is dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]