

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3171 OF 2016

Dilruba Jani Jafar Hussain and Others. ..Petitioners.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. V. K. Rai for the Petitioner.
Ms. S. D. Shinde, APP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **May 5, 2017.**

P. C. :

1. Heard. Writ petition is filed for following reliefs :

a] this Hon'ble Court be pleased to order and delcare that the without substantial and substantive proof no arrest should be done, and listing of Irani's youth names in MACOCA list for the offence punishable u/s 392, 394 r/w 34 of IPC is unconstitutional and its violation of MACOCA definition and a direction to the Respondents Authority to carry out the proper investigation and thus under bonafide impression that the Respondent Authority will do the proper and impartial investigation or as the Hon'ble Court may think fit.

b] this Hon'ble Court be pleased to pass an order and issued direction to the Respondent No. 2 to 15 to furnish the information and grounds to this Hon'ble Courts for arresting Irani's male youth in unnamed FIR / CRs and without any substantial evidences and ground and satisfactory answer from Naarpoli Police Station for arresting Petitioner No. 3 son in C.R.No.191/2016 and listing his name in MACOCA list, and a satisfactory answer from Manpada Police Station for arresting Petitioner No. 4 husband in C.R. No. 121 / 2016 and listing his name in MACOCA list or as the Hon'ble Court think fit.

c] this Hon'ble Court be pleased to issue a writ of certiorari or any other appropriate writ, order, or direction to Respondent No. 2 to 15 for following the law

and procedure while arresting the Irani's male youths in unidentified accused FIR / CRs and be pleased to direct Respondent No. 2 to 15, its servants, officers and agents to furnish in details the reasons for not hearing of the request of the Petitioners and arresting unnecessary."

2. No such relief can be granted on omnibus allegations in exercise of powers under Article 226 of the Constitution of India. Writ petition is, therefore, dismissed.

3. In view of the disposal of main writ petition, application taken out in this writ petition does not survive and the same is accordingly disposed of.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]