

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4459 OF 2016

Suryaprakash Kala, Krida and Sanskrutik Mandal,
Kabnoor
Versus
The State of Maharashtra

..Petitioner

..Respondent

Mr. Manoj A. Patil, advocate for the petitioner.
Mrs. M. M. Deshmukh, APP for the State.

CORAM : RANJIT MORE,
DR. SHALINI PHANSALKAR-
JOSHI, J J.

DATE : 10th JANUARY, 2017.

P. C. :

The grievance made in this petition 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 their registered members to attend the club in the prescribed time and participate in the different games like Kabaddi, Exercise, Weight Lifting, Volleyball, Cricket, Tennis etc. The 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 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, a blanket order of injunction cannot be 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 continue 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 adopt appropriate steps to verify as to whether such social clubs are functioning in accordance with law.

5. With these observations, petition stands disposed of.

(DR. SHALINI PHANSALKAR-JOSHI)

[RANJIT MORE, J.]