

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3122 OF 2018**

Kiran Raghu Poojari	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

Mr. Akhilesh Dubey a/w Mr. Uttam Kumar i/b Law Counsellors for the
Petitioner

Mrs. A. S. Pai, A.P.P for the Respondents-State

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
FRIDAY, 10th AUGUST 2018***

P.C. :

1 The above Writ Petition has been filed for quashing and setting
aside the communication dated 21st April 2018 addressed by the Senior
Inspector of Police, Protection Branch, Mumbai, to the Petitioner informing
him that the protection granted to him is being withdrawn. It is an
undisputed position that the Petitioner was an approver in the Suresh
Bhagat murder case. The said case has culminated in the conviction of the
accused and the acquittal of the approver i.e. the Petitioner herein.

2 The above Petition is predicated on the fact that the Petitioner is facing a threat to life, as the accused who have been convicted have, pending their Appeal in this Court, been released on bail. It is also required to be noted that the Petitioner's Arms License has been cancelled by the Licensing Authority, against which, a Writ Petition is pending in this Court being Writ Petition No. 2750 of 2016.

3 We had deferred the hearing of the above Writ Petition so as to enable the learned A.P.P Mrs. Pai to obtain instructions. The learned A.P.P on the instructions of the Senior Inspector of Police Mr. Kamble of Protection Branch, Mumbai, informs us that a decision would be taken in respect of providing protection to the Petitioner after there is a confabulation between the Senior Officers of the Mumbai Police and the Navi Mumbai Police.

4 We are afraid the issue cannot wait till such confabulations take place and a decision is arrived at by the Senior Officers. Any delay in that regard would unnecessarily put the Petitioner to risk. We are, therefore, of

the view that the protection which was granted to the Petitioner prior to its withdrawal, be reinstated forthwith.

5 We, however, make it clear that since the Petitioner's Petition against the cancellation of his Arms License is pending, the Authorities concerned would be entitled to review the protection provided to the Petitioner, contingent upon the decision that would be rendered in the said Writ Petition.

6 The above Writ Petition is accordingly disposed of.

7 All concerned parties to act upon an ordinary copy of the instant order duly authenticated by the Court Associate/Sheristedar.

REVATI MOHITE DERE, J.

R. M. SAVANT, J.