

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.540/2021

(Narendra Sonbawne V State of Maharashtra and another)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. Shah, Advocate for petitioner.

Mr. Doifode, APP for State.

CORAM : M.S. SONAK & PUSHPA V. GANEDIWALA, JJ.

DATE : 15-11-2021.

Heard Mr. Shah, learned Counsel for the petitioner and
Mr. Doifode, learned APP for the State.

2. In this case, the challenge is to the impugned detention order dated 05-05-2021, in terms of which the petitioner was ordered to be preventively detained for a period of six months.

3. The period of detention has come to an end and in that sense the relief in this petition has rendered infructuous. Mr. Shah, learned Counsel, however submits that the matter may be decided on merits because otherwise the stigma on the petitioner might be continued.

4. At this stage, we make it clear that we are not inclined to examine the matter on merits and therefore there is no question of any apprehension of stigma.

5. Therefore, we dispose of the petition, because the reliefs therein have been rendered infructuous. However, we make it clear that if any subsequent stage, any further action is contemplated against the petitioner based on the impugned detention order, it will be open for the petitioner to challenge the same as *ultra vires* and *null and void* by raising all the grounds now raised or as may be permissible in law.

6. With liberty as aforesaid, we dispose of this petition as infructuous.

(Pushpa V. Ganediwala, J.)

(M.S. Sonak, J.)