

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 CRIMINAL APPLICATION NO.336 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.35 OF 2022

NILESH RAJENDRA GORTE
VERSUS
THE STATE OF MAHARASHTRA

...
Smt. Surekha G.Chincholkar, Advocate for Applicants
Mr. S.B. Badakh, APP for Respondent-State

...
CORAM : M.G. SEWLIKAR, J.
DATE : 01st FEBRUARY 2022

PER COURT:

1. Learned Counsel Smt. Chincholkar for the applicant submits that search has been carried out by Assistant Police Inspector as per provisions of Section 9 of The Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000. Provisions of Section 13 of The Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000 mandates that search has to be carried out by the Officer of the rank of Police Inspector. *Prima facie*, it appears to be against the provisions of law. Therefore, I am inclined to suspend the sentence. In view of this matter, substantive sentence is suspended, till the disposal of the Revision.

2. The applicant Nilesh s/o Rajendra Gorte be released on PR.Bond of Rs.15,000/- with one solvent surety in the like amount. Bail before the Trial Court.

3. Application is disposed off.

[M.G. SEWLIKAR, J.]

sarowar