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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1079 OF 2021

Mahmood Mahboob Shaikh

...Petitioner

Versus

The State of Maharashtra & Ors

...Respondents

Mr. Akshay R. Kapadia for the Petitioner.

Ms. Sangeeta D. Shinde, APP, for the Respondent –
State.

CORAM : PRASANNA B. VARALE &
ANIL S. KILOR, JJ.

DATE : JANUARY 03, 2022.

PER COURT :

1. The Petitioner had approached this Court by way of present Petition with the principal prayer wherein the directions are sought for to provide police protection of a stipulated police personnel and for a stipulated period.

2. The Division bench of this Court passed the following order on 20th October, 2021.

. The learned counsel for the Petitioner seeks time to examine the legal position as to the circumstances in which police protection can be given to a citizen

particularly in respect of any policy document of the State and to demonstrate how the case of the Petitioner falls within the parameters thereunder. This exercise ought to have been done before filing of the Petition. Be that as it may, leave to amend to place the document and pleadings for that purpose is granted.

2. Stand over to 22 November 2021.

3. Learned Counsel for the Petitioner submitted that the amendment could not be carried out within stipulated period but he handed over bunch of documents across the bar. Thus, the same is taken on record and marked 'X' for identification, as the Counsel has invited our attention to the documents to refer as there is a policy of the State Government to provide police protection. The document on which the reliance is placed is Government Resolution dated 04.01.2018 under the caption "Guidelines for providing protection by the police to persons facing threat to life....."

4. It seems that the Petitioner approached the police authorities seeking protection on statement that there are certain orders passed by the competent Civil Court and there is an encroachment upon the property.

It is also a statement in an application submitted to Senior Police Inspector, Ghatkopar Police Station that certain property is occupied illegally and damage is caused to household articles.

5. At this stage, learned APP placed on record a communication addressed to the Petitioner. It is submitted by learned APP that Petitioner is informed to approach the competent Authority for redressal of his grievance. The communication dated 21.11.2021 states that the Petitioner can approach the Deputy Commissioner of Police, Officer of Police Commissioner, Mumbai for his request to provide police protection.

6. Learned Counsel for Petitioner submitted that the Petitioner had already approached the office of Deputy Commissioner of Police, Mumbai by submitting an application/representation on 29.11.2021.

7. Considering this fact, we are of the opinion, that Petition itself can be disposed of by issuing direction to the Deputy Commissioner of Police, Mumbai to decide the application/representation dated 29.11.2021 submitted by the Petitioner as expeditiously

as possible and not later than six weeks from the date of receipt of the order of this Court.

8. With above directions, the Writ Petition is disposed of.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)