

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1475 OF 2022

1. Gautam Mangalsingh Khairnar,
Age : 28 years, Occu. : Labour,
R/o. Old Police Line, Nandurbar
2. Vankar Ratilal Thakkare,
Age : 26 years, Occu. : Labour,
R/o. Chichpada Bhilati, Nandurbar
3. Shankar Ratan Thakkare,
Age : 26 years, Occu. : Labour,
R/o. Chinchpada Bhilati,
Nandurbar, Tq. & Dist. Nandurbar
4. Satish @ Jilaba Dilip Valvi,
Age : 21 years, Occu. : Labour,
R/o. Chinchpada Bhilati,
Nandurbar, Tq. & Dist. Nandurbar
5. Rakesh Rajesh Thakkare,
Age : 27 years, Occu. : Labour,
R/o. Chinchpada Bhilati,
Nandurbar, Tq. & Dist. Nandurbar .. Petitioners

Versus

1. The State of Maharashtra,
Through Police Inspector,
Nandurbar City Police Station,
Nandurbar, Tq. & Dist. Nandurbar.
2. The Divisional Commissioner,
Nashik Division Nashik.
3. Superintendent of Police
Nandurbar, Nandurbar. .. Respondents

Mr. Ruchir Subodh Wani, Advocate for the Petitioners.
Mr. P. N. Kutti, APP for Respondent Nos. 1 to 3.

AND
CRIMINAL WRIT PETITION NO. 1739 OF 2022

Rakesh Rajesh Thakkare,
Age : 27 years, Occu. : Labour,
R/o. Chinchpada Bhilati,
Nandurbar, Tq. & Dist. Nandurbar .. Petitioner

Versus

1. The State of Maharashtra,
Through Police Inspector,
Nandurbar City Police Station,
Nandurbar, Tq. & Dist. Nandurbar.
2. The Divisional Commissioner,
Nashik Division Nashik.
3. Superintendent of Police
Nandurbar, Nandurbar. .. Respondents

Mr. Ruchir Subodh Wani, Advocate for the Petitioner.
Mr. P. N. Kutti, APP for Respondent Nos. 1 to 3.

AND
CRIMINAL WRIT PETITION NO. 1740 OF 2022

1. Vankar Ratilal Thakkare,
Age : 26 years, Occu. : Labour,
R/o. Chinchpada Bhilati, Nandurbar
2. Shankar Ratan Thakkare,
Age : 26 years, Occu. : Labour,
R/o. Chinchpada Bhilati,
Nandurbar, Tq. & Dist. Nandurbar
3. Satish @ Jilaba Dilip Valvi,
Age : 21 years, Occu. : Labour,
R/o. Chinchpada Bhilati,
Nandurbar, Tq. & Dist. Nandurbar .. Petitioners

Versus

1. The State of Maharashtra,
Through Police Inspector,
Nandurbar City Police Station,
Nandurbar, Tq. & Dist. Nandurbar.
2. The Divisional Commissioner,
Nashik Division Nashik.
3. Superintendent of Police
Nandurbar, Nandurbar. .. Respondents

Mr. Ruchir Subodh Wani, Advocate for the Petitioners.
Mr. P. N. Kutti, APP for Respondent Nos. 1 to 3.

CORAM : KISHORE C. SANT, J.

DATED : 18th JANUARY, 2023.

ORAL JUDGMENT :-

. During the course of argument, learned advocate for the petitioners invited attention of this Court to common order passed by this Court in Criminal Writ Petition Nos. 633/2022, 642 of 2022 and 685/2022. He submits that, this court by common order dated 03.10.2022 has allowed all the writ petitions. Initial order passed by the Superintendent of Police, Nandurbar is the same in respect of the present petitioners also. The grounds on which the earlier petitions were allowed are also the grounds taken in these petitions. This Court has already recorded finding on those grounds and has arrived at conclusion that the impugned order passed by the Superintendent of

Police deserves to be quashed and set aside.

2. Learned advocate for the petitioners submits that the order passed by the Superintendent of Police, Nandurbar is common. However, these petitioners have preferred different appeals and therefore, now different petitions are filed. There is no change in the grounds as stated earlier. Learned advocate prays that the similar order be passed in these petitions also.

3. Learned A.P.P fairly accepts the decision in earlier petitions and requests the Court to pass appropriate order.

4. Considering the earlier order, the propriety requires that these petitions also deserve to be allowed. Hence, rule is made absolute in terms of prayer clause (B).

(KISHORE C. SANT, J.)

PS.B.