



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

923 CRIMINAL WRIT PETITION NO. 1136 OF 2024

Javedkhan Abdulmajeedkhan Pathan And Another

VERSUS

The State Of Maharashtra And Others

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Advocate for the Petitioner : Mr. R.S. Shinde a/w R.C. Bora

APP for Respondents : Mr. G A Kulkarni

**CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.**

Dated : September 13, 2024

PER COURT :-

1. Heard learned advocates for the petitioners and learned APP for the Respondents.
2. In view of our order dated 5.9.2024, learned APP has made available the report.
3. Learned advocate for the petitioners submits that now investigation in respect of one crime is already transferred and, therefore, prayer to that effect does not survive and then he is not pressing for the other reliefs.
4. We are mainly concerned with the prayer in respect of providing protection to the petitioners and their family members. It is a fact on record that offences are registered against petitioners also and petitioners have registered offence against unknown persons, who have stated encroached upon the property in the vicinity. We do not want to go much into the details, however, since it is the duty of the

Police to protect life and property of the citizens, of course it is not an absolute right of a citizen, yet taking into consideration duty of the Police, and the fact that learned advocate for the petitioners has submitted that petitioners are ready to deposit the requisite amount required for giving police protection as per the charges those are set out by the Government, we grant liberty to the petitioners to approach the Authority i.e. the Superintendent of Police, Jalna within a period of one week with an application for providing the police protection. The Superintendent of Jalna, after considering the facts in the application, provide police protection to the petitioners for such period as is necessary. Taking into consideration the facts pleaded, deposit of the amount as per the charges settled by Government of Maharashtra in respect of police protection is a precondition. In other words, after deposit of the amount only, police protection be provided and as aforesaid for such period as the Superintendent of Police fit necessary.

5. With these observations, Petition stands **disposed of**. Parties to act on an authenticated copy of this order.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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