



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

CRIMINAL WRIT PETITION NO. 846 OF 2024

(Suraj s/o Prakash Bariyekar vs. State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. K.S.Motwani, Advocate for petitioner.
Mr. N.H.Joshi, APP for respondents.

CORAM : VINAY JOSHI AND ABHAY J. MANTRI, JJ.

DATE : OCTOBER 25, 2024

- 1) Heard.
- 2) The petitioner is apprehending to be detained, on the basis of detention order passed under the provisions of Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug Offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons Engaged in Black marketing of Essential Commodities Act, 1981 ('MPDA Act').
- 3) It is petitioner's contention that some false crimes have been registered against him, which is not sufficient to curtail his liberty, however, the order has been passed. In the wake of such position, the petitioner seeks direction not to act upon the detention order and interim relief to that effect has been sought.
- 4) Admittedly, detention order is not on record. We are quite aware that personal liberty of any individual cannot be curtailed unless due procedure of law has been adopted. It is evident that the proceeding under MPDA Act is initiated against the petitioner, in which the detention order is passed. In the

wake of such position, we are not inclined to entertain the petition. As such, the petition stands dismissed.

5) We make it clear that petitioner is at liberty to challenge the detention order as and when served. All contentions raised in this petition are kept open.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)

KOLHE