



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

CRIMINAL WRIT PETITION NO. 275 OF 2024

Aakash S/o. Arunrao Waghade and others

Vs.

State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Sumit B. Gandhe, Advocate for petitioners.
Shri Ganesh Umale, APP for respondents/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 03.04.2024

Heard.

2. The petition challenges the order dated 06.11.2023 passed by the Superintendent of Police, Amravati (Rural) thereby externing the petitioners from Amravati and Nagpur District as well as from adjoining Pandurna and Multai, the adjoining Talukas of State of Madhya Pradesh for a period of one year. The appeal came to be filed against the said order under Section 60 of the Bombay Police Act, 1951, which came to be dismissed by the order dated 25.01.2024, which is also challenged in this petition.

3. It is further contention of the learned counsel of the petitioners that only the case of selected members of the alleged gang were taken up for externment, which is against the law. It is submitted that

four offences, which were relied by the Externig Authority, in which some of the petitioners were not the accused at all. During pendency of the appeal, before the Divisional Commissioner, there was stay to the impugned order passed by the Superintend of Police and that order has not been misused by the petitioners.

4. Issue notice to the respondents, returnable in two weeks.

5. The learned APP waives service of notice for respondents/State.

6. There shall be stay to the effect and operation of the orders impugned till the returnable date.

7. The petitioner shall attend the Police Station Shendurjana Ghat, Tahsil Warud, District Amravati on every alternate day between 10.00 am to 12 noon.

(M. W. CHANDWANI, J.)