



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

CRIMINAL WRIT PETITION NO. 837/2024.

Alim Khan Salim Khan

-VERSUS-

Sub Divisional Magistrate, Morshi and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri P.R. Agrawal, Advocate for the Petitioner.
Ms M. Deshmukh, A.P.P. for Respondents.

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

DATE : OCTOBER 16, 2024.

Heard.

2. The petitioner has impugned herein the order dated 10.10.2024 issued by the Sub Divisional Magistrate, Morshi in terms Section 163 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS), restraining the petitioner from participating in the religious procession during the period 14.10.2024 to 17.10.2024, and also not to enter within the jurisdiction of Morshi Police

Station during said period.

3. It is canvassed on behalf of the petitioner that neither prior notice was issued in the matter, nor hearing was given. According to the petitioner no substantial reasons about satisfaction has been recorded, and therefore, the order is unsustainable.

4. Perusal of the order indicates that the Sub Divisional Magistrate having regard to the situation about likelihood of breach of public peace and tranquility, on his satisfaction prevented the petitioner from entering into the specified area and participating in the procession. The duration of the order would come to an end tomorrow i.e. 17.10.2024. Having regard to above facts and the reasons stated by the Magistrate, we are not inclined to interfere in the matter in writ jurisdiction. Writ Petition is therefore, dismissed.

JUDGE

JUDGE