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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Criminal Writ Petition No.89 of 2025

Indu Bablu Pandey
Age: 44 years,
R/a Room No.2,
Hare Krishna Chawl,
Tyaba Nagar, Dachkul Pada,
Kashimira, Mira Road (E),
Thane 401 107

... Petitioner

versus

1. The State of Maharashtra through
Public Prosecutor

2. Deputy Commissioner of Police
Zone 1 MBVV Police,
Shop No.3, Bldg. No.
1, Ostwal Height,
Kanakia Road,
Mira Bhayander,
Mira Road East
Thane 401 107

... Respondents

Mr Vishaal Khetre, for the petitioner.

Mr Yogesh Y Dabke, APP, for the respondent/ State.

Coram: R.N. Laddha, J.

Date: 16 April 2025.

P.C.:

. Heard Mr Vishaal Khetre, the learned Counsel appearing

on behalf of the petitioner; and Mr Yogesh Dabke, the learned Additional Public Prosecutor representing the respondent /State.

2. It is well-settled principle of law that the extraordinary writ jurisdiction of this Court ought to be invoked with restraint and exercised sparingly, particularly in instances where an efficacious and alternate remedy is available to the petitioner. In the present case, the petitioner has the statutory right to assail the impugned order of externment by preferring an appeal before the Competent Authority. In light of this available remedy, it would not be appropriate for this Court to exercise its writ jurisdiction at this stage.

3. Nonetheless, it is pertinent to note that, the dismissal of the present writ petition shall not preclude the petitioner from approaching this Court, once again under its writ jurisdiction, should the statutory remedy of appeal fails. This approach preserves the petitioner's rights to seek redress through the proper legal forums and maintain the integrity of the multi-tiered judicial review process.

4. In light of the above, this Court is of the view that the invocation of its writ jurisdiction is unwarranted at this

juncture. Accordingly, the writ petition stands dismissed. However, the petitioner is granted liberty to avail the appellate remedy before the Competent Authority as provided under law. Should there be any delay in preferring such an appeal, the petitioner is at liberty to seek condonation of delay, in accordance with law. This ensures that the petitioner is not foreclosed from pursuing justice through legitimate procedural avenues.

5. The petition stands disposed of accordingly.

(R.N. Laddha, J.)