



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

CRIMINAL WRIT PETITION NO.498 of 2024

Prakash Harichand Mothghare (In Jail) Vs. The District Magistrate Bhandara
and 2 others

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

Court's or Judge's order

Mr. N.P.Meshram, Advocate for petitioner.
Mrs. S.S.Jachak, Addl.P.P. for the respondent nos.1 to 3.

CORAM : NITIN W. SAMBRE & MRS. VRUSHALI V. JOSHI, JJ.
DATE : JANUARY 28, 2025.

1. Heard.
2. Issue notice of contempt to the Police Station Officer, who has submitted the proposal for detention dated 9th February 2024 as this Court vide order dated 9th December, 2024 has directed the said officer to submit the explanation.
3. Neither the Officer has contacted the office of the Public Prosecutor nor issued any instructions in the matter.
4. Even if the petitioner is released by the Detaining Authority in compliance with the order of the Advisory Board, that by itself is not absolved the Officer so as to submitted the backdated proposal as could be inferred from the observations made in order dated 9th December, 2024.
5. The said Officer so also Detaining Authority shall show causes as to why the compensation as has been claimed by the petitioner be not awarded thereby directing recovery of the same from their salary.
6. Let the response be submitted to this Court within two weeks.

7. We direct the Additional Public Prosecutor to communicate this order to the Detaining Authority so also the Superintendent of Police, Bhandara, who shall ensure the service of this order on both the Detaining Authority and also the Officer, who has submitted the backdated proposal.

8. Stand over to 11th February, 2025.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W.SAMBRE, J.)

Mukund Ambulkar