



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

CRIMINAL WRIT PETITION No.1035 OF 2024

(Shri Manish s/o. Nandkishor Hatwar Vs. State of Maharashtra, through Home Department
(Special), Mantralaya, Mumbai and others)

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

Court's or Judge's orders.

Mr. Saurabh Shrivastava, Advocate for petitioner.
Ms. M.H. Deshmukh, APP for respondent Nos.1 to 4.

CORAM : NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.
DATE : 02nd JANUARY, 2025.

1. This Court by an order dated 24.12.2024 issued notice to the respondents, which was waived by the learned Additional Public Prosecutor.

2. Learned A.P.P. claims that an intimation was already given to the respondent Nos.1 to 4 about the service of notice being ordered by this Court in the matter of questioning the sanctity of the detention order dated 28.11.2024.

3. The issue pertains to the personal liberty of an individual i.e. the detainee.

4. Least that was expected of the detaining authority was to respond to the order of notice issued by this Court by establishing contact with the Office of the Public Prosecutor. Learned A.P.P. in response to the Court's query has informed that the detaining authority has not issued any instructions in the matter.

5. In this view of the matter, we saddle costs of Rs.5,000/- to be recovered from the detaining authority i.e.

District Magistrate, Bhandara and the said amount be deposited with the Legal Services Authority, Bhandara, acknowledgment of which to be placed on record.

6. We direct the detaining authority i.e. District Magistrate, Bhandara to file an affidavit in any case by 10th January, 2025 thereby showing response to the petition, failing which Court will be constrained to pass appropriate order on the next date of hearing.

7. Stand over to 14th January, 2025.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)