



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1669 OF 2025

Mohan s/o Daulat Mundhe,
Age : 33 Years, Occ.: Nil;
R/o. : Kranti Nagar, Ambajogai,
Tq. Ambajogai, Dist. Beed

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Officer,
Home Home Department (Special),
Mantralaya, Mumbai-32.
2. The District Magistrate,
Tq. & District : Beed
3. The Superintendent of Jail,
Central Prison, Aurangabad

..RESPONDENTS

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Advocate for the Petitioner : Mr. Sanket Shinde (Appointed)
A.P.P. for respondent Nos. 1 to 3 : Mr. S. P. Sonpawale

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**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

RESERVED ON : FEBRUARY 23, 2026

PRONOUNCED ON: APRIL 6, 2026

JUDGMENT (PER SANDIPKUMAR C. MORE) :-

1. Rule. Rule made returnable forthwith. Heard finally with
consent of the learned counsel for the petitioner and learned
A.P.P.

2. The petitioner has challenged the order of detention dated 18.03.2025 passed by respondent No.2 bearing No.2025/RB-Desk-1/Pol-1/MPDA-03 in exercise of powers under Section 3(1) of the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders, Dangerous Persons, Video Priates, Sand Smugglers and Persons Engaged in Black Marketing of Essential Commodities Act, 1981 (hereinafter referred to as “MPDA Act”) as well as the approval order of the State Government dated 27.03.2025 and the confirmation order dated 14/05/2025 passed by respondent No.1, by invoking the powers of this Court under Article 226 of the Constitution of India.

3. The learned counsel for the petitioner submits that the following offences are registered and one preventive action as well as one action of passing detention order, are also taken against the petitioner.

Sr. No.	Police Station	Cri.No. & Under Section	Date of Registration	Court Cases No.	Status
01	Ambajogai City	368/2022, 384 of IPC	29/08/2022	RCC No.709 of 2022, dt.13/12/2022	Pending in Court
02.	Kaij	393/2022, 457 & 380 of IPC	03/09/2022	RCC No.350 of 2022, dt.21/12/2022	Pending in Court
03.	Ambajogai City	487/2024, 305(A) & 331(3) of BNS	10/11/2024	-	On investigation
04.	Ambajogai Rural	357/2024 305(A) & 331(3) of BNS	22/11/2024	-	On investigation

05.	Parali Rural	379/2024, 305(A) & 331(3) of BNS	29/12/2024	-	On investigation
06.	Parali Rural	06/2025, 305(A) & 331(3) of BNS	04/01/2025	-	On investigation
07.	Parali City	06/2025, 305(A) & 331(3) of BNS	12/01/2025	-	On investigation

Preventive Action

Sr. No.	Police Station	Chapter Case No.	Date	Remark
01	Ambajogai City	30/2022, 110 of Cr.P.C.	22/09/2022	Final bond.

Preventive Action

Sr. No.	Police Station	Chapter Case No.	Date	Remark
01	Ambajogai City	01/2022, MPDA	26/11/2022	Action is initiated as per order of Hon'ble District Collector, O.W. No.2022/RB Desk-1/Pol-1/MPDA 08 dt.26/11/2022.

However, the detaining authority has considered mainly three offence namely i) Crime No.379 of 2024, under Sections 305(A), 331(3) of BNS registered with Parali Rural Police Station, ii) Crime No.6 of 2025, under Sections 305(A), 331(3) of BNS registered with Parali Rural Police Station & iii) Crime No.6 of 2025, under Sections 305(A), 331(3) of BNS registered with Parali City Police Station to declare the petitioner as a “Dangerous Person”. According to the learned counsel for the petitioner there is no live link in the impugned order of

detention and the earlier crimes registered during the period from 2022 to 2024 against the petitioner, even the preventive action taken against the petitioner in the year 2022, was without application of mind. According to him, all the criminal cases against the petitioner are at investigation stage. He further submitted that, the nature of criminal act as alleged, is not against public order, but it is individual in nature. Further, according to him, the statements of secret witnesses are stereotype in nature. Those can give rise to disturbance of law and order and not disturbance to the public order. Thus, he prayed for setting-aside the impugned order of detention.

4. Per contra, the learned A.P.P. strongly opposed the submissions made on behalf of the petitioner by filing affidavit-in-reply of respondent No.1 According to him, the petitioner is definitely a “Dangerous Person” within the meaning of Section 2(b-1) of the M.P.D.A. Act. He pointed out that the petitioner since 2022 is involved in serious crimes, like theft. He has also caused extortion of the persons residing in the vicinity of Ambegojai and Parali. Moreover, occasionally he had also assaulted the persons of the area by means of dangerous weapons. Such incidents have committed by the petitioner in

public places. He further submitted that even after earlier crimes, the tendency to commit further crimes of the petitioner has not been stopped and therefore, considering the repeated criminal activities of the petitioner, the same are definitely prejudicial to the maintenance of public order in future.

5. Admittedly, three offences of Parali Rural as well as Parali City Police Station have been considered for passing the detention order of the petitioner, wherein it is alleged that the petitioner has committed theft of valuable gold ornaments and cash amount from the houses of various persons. Moreover, from the statements of secret witnesses it is revealed that the petitioner is known for committing theft of gold ornaments as well as cash by breaking the houses. Moreover, the said statements also reveal the fact that the petitioner used to give threats to the public at large and cause their extortion by demanding money on the point of dangerous weapons in open places accessible to public at large. Further, it is also evident that despite committing the offences of theft, the petitioner has continued his criminal activities without being deterred. Not only this, the impugned order also indicates that in the year 2022 also, the concerned District Magistrate had passed detention order against him under the provisions of M.P.D.A

Act. Thus, the petitioner is involved in serious crimes of thefts, from the year 2022 till 2025. Therefore, considering the previous history of the petitioner, it can safely be inferred that there is sufficient material on record to detain him otherwise the criminal activities of the petitioner would certainly disturb the public order. Under such circumstances, we are not inclined to quash the impugned orders, specially by considering the criminal background of the petitioner in causing theft of gold ornaments and a huge cash amount. Accordingly, the petition stands dismissed.

6. Rule is discharged.

7. We quantify the fees of the appointed advocate for the petitioner to Rs.5,000/-, which is to be paid to him by the High Court Legal Services, Sub Committee, Aurangabad, as expeditiously as possible.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE