

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

CRIMINAL WRIT PETITION NO.1038 OF 2026

Zabbar Asif Mover,
R/o. Hajiyawada, Diu .. Petitioner
Vs.
Union of India,
Through the Administrator,
Dadra & Nagar Haveli, Daman & Diu and Ors. .. Respondents

Mr. Gaurav Shukla, Advocate for the Petitioner.

Mr. Ashwin Thool with Mr. Ayush Singh, Advocates for the Respondents.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 26TH MARCH 2026.

P.C. :

The petitioner has filed this writ petition challenging the proclamation order dated 13th February 2026.

2. This is recorded in the proclamation order that a detention order has been passed against the petitioner under section 3(2) of the Gujarat Prevention of Anti-Social Activities Act, 1985 ("Gujarat Act") as extended to the Union Territories of Dadra & Nagar Haveli and Daman & Diu. The detention order shall be deemed to be a warrant of arrest under section 8(1) of the Gujarat Act. Mr. Gaurav Shukla, the learned counsel for the petitioner submits that no criminal case has been registered against the petitioner in the last three years. The petitioner has been acquitted in two cases and one criminal case against him ended in compromise.

3. In the first place, this cannot be a ground to challenge the

proclamation order that no further case has been registered against a person who has indulged himself in anti-social activities. The petitioner is accused of kidnapping the minor girl and forcing her to convert to a different religion. The judgment authored by the Chief Judicial Magistrate, Diu, dated 20th March 2025, in R.C.C. No.24 of 2022 records no reasons except observing that Informant-Bhimji (PW-1) and Ravigiri (PW-3) stated in the Court that they witnessed a quarrel near the main gate of the government hospital and found that two-three persons were injured. Surprisingly, the accused persons have been acquitted even for the offence under sections 323 and 325 of the Indian Penal Code, 1860.

4. Writ Petition No.1038 of 2026 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]