



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

CRIMINAL WRIT PETITION NO. 113 OF 2026

[Younus Ayyub Sheikh **vs.** State of Maharashtra, through its Secretary, Home Department(Special) and anr.]

with

CRIMINAL WRIT PETITION NO. 114 OF 2026

[Smt. Kauteke W/o Dilip Rajput **vs.** State of Maharashtra through its Secretary, Home Department(Special) and ors.]

Office Notes, Office Memoranda
of Coram, Appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. Mir Nagman Ali, Advocate for petitioner in WP 113/2026
Ms. R. G. Nitnaware, Advocate for petitioner in WP 114/2026
Mr. S. S. Doifode, APP for the State/ respondents

CORAM : **ANIL L. PANSARE AND**
NIVEDITA P. MEHTA, JJ.

DATE : **01-04-2026.**

Heard.

2. The issue involved in these petitions is identical to the issue involved in Criminal Writ Petition No. 73/2026. We have held that the order of detention, order of approval of detention and order of confirmation of detention passed by the authorities below under Sections 3(2), 3(3) and 12 of the Maharashtra Prevention of Dangerous Activities Act, 1981 (for short "Act of 1981") are passed in blatant violation of law laid down by this Court in the case of ***Akshay Bhaskar Sahare Vs. State of Maharashtra and anr. (Criminal Writ Petition No. 223/2025)***. Similar is the status of the impugned orders in the present

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petitions. That being so and for the reasons set out in order dated 1-4-2026 in Criminal Writ Petition No. 73/2026, both the petitions are allowed. Detention order dated 23-1-2026 passed by respondent no. 2 in Criminal Writ Petition No. 113/2026 is quashed and set aside.

3. Detention order dated 31-12-2025 passed by respondent no. 2 and order of approval of detention passed by respondent no. 1 dated 9-1-2026 in Criminal Writ Petition No. 114/2026 are quashed and set aside.

4. The petitioners shall be released forthwith, if not required in any other case.

5. The petitions are disposed of in terms of above.

(JUDGE)

(JUDGE.)

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