

ITEM NO.35

COURT NO.13

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).3573/2021

(Arising out of impugned final judgment and order dated 20-01-2021 in ABA No.889/2020 passed by the High Court Of Judicature At Bombay At Aurangabad)

PANDIT

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA
(IA No. 88805/2022 - GRANT OF BAIL)

Respondent(s)

Date : 13-07-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Kunal Cheema, AOR
Mr. D. A. Mane, Adv.
Ms. Aditi Deshpande Parkhi, Adv.

For Respondent(s) Mr. Rahul Chitnis, Adv.
Mr. Sachin Patil, AOR
Mr. Aaditya A. Pande, Adv.
Mr. Geo Joseph, Adv.
Ms. Shwetal Shepal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Taking note of the submissions as made in the Counter Affidavit dated 5.07.2022 filed by the Police Inspector, MIDC Police Station, Latur, Maharashtra, we prima facie find that the learned Magistrate who has dealt with the matter need to explain the detention order passed by him qua the

petitioner on 24.06.2022 which was standing directly in conflict with the interim order passed by this Court.

On 04.07.2022, we had preliminarily taken note of the factual aspects and had indicated that the matter gave rise to questions on the bona fide of prosecuting agency as also on the understanding of the learned Magistrate about the operation of our orders.

However, before saying anything further in the matter, we deem it appropriate to extend an opportunity of explanation to the learned Magistrate who had passed the order dated 24.06.2022. Therefore, copies of the orders passed by this Court in this matter as also a copy of the said affidavit dated 05.07.2022 may be forwarded to the Magistrate who had passed the order dated 24.06.2022.

The learned Magistrate would be expected to submit the requisite explanation within a week of the receipt of the relevant papers.

Apart from other modes, the relevant papers may also be forwarded by e-mail.

List this matter after two weeks.

(B.Parvathi)
Court Master

(Ranjana Shailey)
Court Master