

(2013) 06 BOM CK 0023

In the Bombay High Court

Case No : Criminal Writ Petition No. 172 of 2013

Smt. Surekha

APPELLANT

Vs

State of Maharashtra and Another

RESPONDENT

Date of Decision : 12-06-2013

Acts Referred:

Citation : (2013) ALLMR(Cri) 2706

Hon'ble Judges : M.L. Tahaliyani, J

Bench : Single Bench

Advocate : Rajnish Vyas, for the Appellant; S.S. Doifode, Assistant Public Prosecutor, for the Respondent

Final Decision : Allowed

Judgement

M.L. Tahaliyani, J.—Heard. Rule. Rule made returnable forthwith. Heard finally by consent of learned counsel for both the parties.

2. The applicant has been externed from the local limits of Nagpur District on the basis of pendency of cases under the Bombay Prohibition Act. This Court has repeatedly held that the externment order cannot be passed on the basis of pendency of cases under the Bombay Prohibition Act. In view thereof, the writ petition is allowed. Order dated 5th March, 2013 passed by Deputy Commissioner of Police, Zone-IV, Nagpur is set aside.

Rule made absolute accordingly.