



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 187 OF 2024

Dr. Gunratan N. Sadavarte ... Petitioner

V/s.

The Additional Chief Secretary & Ors. ... Respondents

WITH

CRIMINAL WRIT PETITION NO. 188 OF 2024

Dr. Gunratan N. Sadavarte & Anr. ... Petitioners

V/s.

The Additional Chief Secretary & Ors. ... Respondents

Dr. Gunratan Sadavarte, Petitioner in-person.

Dr. Birendra Saraf, Advocate General a/w Mr. H.S. Venegaonkar, Public Prosecutor and Ms. A.A. Takalkar, APP for Respondent Nos.1 to 8 & 10 in Criminal Writ Petition No.188/2024.

CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.

DATE : 24th January 2024.

P.C. :

1) Heard Dr. Sadavarte, Petitioner in-person and Dr. Saraf, learned Advocate General for the Respondent Nos.1 to 8 & 10.

2) Learned Advocate General on instructions submitted that, the State will follow the legal position enunciated by the Hon'ble Supreme Court in the case of *Amit Sahni (Shaheen Bagh, In Re) Vs. Commissioner of Police And Ors, reported in (2020) 10 Supreme Court Cases 439*, and in particular

para Nos.17 to 19 and 21 thereof. He submitted that, the State will take all necessary measures to prevent blockage of public way/ways, which may cause inconvenience to the commuters due to the said agitation by Respondent No.9. That, if deem necessary, the State may make an endeavor to allot appropriate designated place(s) to Respondent No.9 in Criminal Writ Petition No.188 of 2024 for conducting peaceful agitation. That, if need arises the State will adopt necessary measures to avoid breach of public peace and to maintain law and order situation.

- 3) Issue notice to Respondent No.9, returnable on 14th February, 2024. Notice be served through Senior Inspector of Police attached to Azad Maidan Police Station, Mumbai.
- 4) Stand over to 14th February, 2024.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)