

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 406 OF 2026

Amol Ashok Sonpasare

VERSUS

The Divisional Commissioner And Others

...

- Mr. A. G. Kale, Advocate h/f. Mr. V. U. Pawar, Advocate for the Petitioner
- Ms. P. J. Bharad, APP for Respondents - State

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**CORAM : MEHROZ K. PATHAN, J.**

**DATED : 15.04.2026**

**PER COURT :**

1. Heard Mr. Kale, learned counsel h/f. Mr. Pawar, learned counsel for the petitioner.
2. Learned counsel for the petitioner submits that the impugned order of externment is based on offences which are either stayed and pertain to the years 2021, 2022 and 2024. It is submitted that the last offence allegedly registered against the petitioner is dated 17.05.2024, whereas the impugned order of externment has been passed on 28.11.2025. According to the learned counsel, there is no live link between the alleged offences and the order of externment, and the apprehension of danger or alarm is misconceived. It is further submitted that the impugned order is excessive, inasmuch as the offences are registered at Bori Police Station, Taluka Jintur, District Parbhani, however, the petitioner has also been externed from the

adjoining District Jalna without recording any satisfaction as to the necessity of such externment. The impugned order is therefore illegal, unjust and arbitrary and is liable to be set aside.

3. Learned counsel for the petitioner further submits that though the learned Divisional Commissioner, in exercise of powers under Section 60 of the Maharashtra Police Act, 1951, has reduced the period of externment from one year to six months, the appellate authority ought to have quashed and set aside the impugned order of externment dated 28.11.2025 in its entirety, once it was found to be excessive.

4. In view of the aforesaid submissions, issue notice to the respondents, returnable on 06.05.2026. Learned APP waives service on behalf of the respondents – State.

5. In the meanwhile, there shall be ad-interim relief in terms of prayer clause 'D', which reads as under :-

*“D) Pending hearing and final disposal of this Criminal Petition, the impugned order dated 02/03/2025 in Ja. Kr. 2026/SaPr/Kaksha-1/Pol-1/Haddapar/CR-04, passed by Resp. No. 01 i.e. Ld. Divisional Commissioner, Chhatrapati Sambhajingar along with the impugned order of externment dated 28/11/2025 passed by the respondent no. 3 i.e. Ld. SDM, Seli, Dist. Parbhani, externing the petitioner from entire Parbhani, Jalna District for one year, may kindly be stayed and for that purpose necessary orders be passed.”*

( MEHROZ K. PATHAN, J. )