D.O.No. DET/MPDA/PCB/Zone-II/ /2016,

Office of the Commissioner of Police,

Nagpur City Dated: th Oct, 2016.

Shri Firoj s/o Imam Khan, aged 46 years, R/o. Khalashi line] Mohan nagar, P. Stn. Sadar, Nagpur City.

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In pursuance of Section 8 of the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug Offenders, Dangerous Persons Video Pirates, Sand Smugglers and persons engaged in Black-marketing of Essential Commodities Act, 1981 (Amendment of 2006, 2009 and 2015) r/w Article 22 (5) of the Constitution of India, I hereby communicate to you the grounds on which the detention order has been made by me on this day against you under sub section (2) of Section 3 of the said Act. The copies of documents placed before me are appended herewith and supplied to you which you may verify and acknowledge the receipt thereof.

1. Since the year **2013**, you have been continuously engaging yourself in the commission of violent and desperate activities. The crime committed by you are of the nature of **Assault of criminal force to deter public servant from discharge of his duty, voluntarily causing hurt to deter public servant from discharge of his duty, Obscene acts and songs, Threat be to cause death, Illegal Gambling in public place, sells or buys any liquor ( intoxicant), illegaly Keeping weapons , Obstructing public servant in discharge of public functions, Attempt to murder, Mischief causing damage to property, Rioting, etc.** Thus you have created a reign of terror in the minds of people residing in the area of where you operate. The even tempo of life of residents of this area and the public order, in general has been disturbed owing to your criminal activities which are continuing unabated even after taking all preventive actions against you. These preventive actions are found to be ineffective to curb your dangerous criminal activities.
2. From the available records, it is seen that you have been involved in two serious offences pertaining to chapter XVI and XVII of the Indian Penal Code. These offences which are given below are your past history and have not been considered while issuing this order of detention against you. However, the copies of FIRs are supplied to you to show your tendency to commit serious offences.
3. Your past criminal record is as under :-

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Sr. No. | P. Stn. | C.R. No. | Under Section | Date of Offence | C.C. No. & Date | Remarks |
|  | Sitabirdi | 131@13 | dye 353]332] 294]506c]34]109 Hkknfo | 24@04@13 | 304031@2013  Date10-10-13 | Court Pending |
|  | Sitabirdi | 4953@2014 | 12a Gambling act | 13@11@14 | 330831@2014  Date31-12-14 | Court Pending |
|  | Sitabirdi | 4962@2014 | 12a Gambling act | 19@11@14 | 309557@2014  Date23-03-15 | Court Pending |
|  | Sitabirdi | 6009@2014 | 65 E Prohibition act | 05@04@14 | 320894@2014  Date03-09-14 | Court Pending |
|  | Sitabirdi | 3622@2015 | 12a Gambling act | 10@04@15 | 317532@2015  Date10-08-15 | Court Pending |
|  | Sitabirdi | 6006@2015 | 12a Gambling act, 65 E Prohibition act | 27@06@15 | 319427@2015  Date16-09-15 | Court Pending |
|  | Sitabirdi | 6012@2015 | 65 D, E Prohibition act | 27@08@15 | 24065@2015  Date21-12-15 | Court Pending |
|  | Sitabirdi | 6015@2015 | 65 D, 83 Prohibition act | 02@10@15 | 22267@2015  Date21-11-15 | Court Pending |
|  | Sitabirdi | 4725@2015 | 12a Gambling act | 06@10@15 | 1387@2016  Date21-01-16 | Court Pending |
|  | Sitabirdi | 4775@2015 | 4$25 Arms act, R/W 135 Maharashtra Police Act | 21@10@15 | 690@2016  Date10-02-16 | Court Pending |
|  | Sitabirdi | 6016@2015 | 65 D, 83 Prohibition act | 22@10@15 | 1064@2016  Date14-11-16 | Court Pending |
|  | Sitabirdi | 6023@2015 | 65 D, 82 Prohibition act | 22@12@15 | 4942@2016  Date29-03-16 | Court Pending |
|  | Sitabirdi | 472@15 | 353] 506B IPC | 23@04@15 | 1935@16  Date04-05-16 | Court Pending |
|  | Sitabirdi | 3080@2016 | 12a Gambling act | 02@01@16 | 7242@2016  Date12-05-15 | Court Pending |

**5.** To deter you from committing crimes, preventive actions u/s 110 (e)(g) Cr. P. C. was initiated two times against you, which is given below.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Sr. No. | P. Stn. & Sumar No. | Under Section | Date of initiation | Chapter Case No. & Date | Remarks |
| 1 | Sadar  88/2011 | 110 Cr.P.C | 07@05@11 | 138@11 Date- 07-05-11 | On 13-08-2011 took a Final bond for 02 Years |
| 2 | Sitabirdi  05/2014 | 110 Cr.P.C | 10@03@14 | 20@14 Date-10@03@14 | On 02-06-2014 took a Final bond for 02 Years and case have been stoped by courte order- |

**6.** However, you have violated the terms and condition of final Bond executed by you on time to time. After the doing process of breach of Bond you do not stop and continuing the offenses. Thus, no deterrent effect could be brought to bear upon you by this preventive action against you.

**7.** Your arrest in specific crimes, prosecution and the preventive actions taken against you has not prevented you from committing criminal acts and you have continued to indulge in the commission of serious and grave offences as soon as you were released on bail by the court. Your criminal activities in association with your other associates are creating terror and disturbing the even tempo of life in the jurisdiction of **P. Stn. Sitabirdi**, Nagpur City.

**8. Particulars of offences and other criminal activities which have been taken into consideration for issuing the detention order.**

**8.1.** **P. Stn. Sitabirdi C. R. No. 6010/2016 u/s 65 D E Maharashtra Prohibition act. Illegally keep and sell the liquor, etc.**

**8.1.1.**  On dated 15/04/2016 about 21.15 P.M. Complainant by govt. Sunil Mhaske, Police Hawaldar Buckle No. 389, P. Stn. Sitabirdi, Nagpur city came to the police station Sitabirdi and gave the report that Today on 15-04-2016 from 09-30 am to 24-00 pm when he was present on duty as Incharge of special squad and was searching illegal seller of the liquor in area of police station with staff NPC Ajay 2385, PC Gajanan 5150, PC Ankush 6138. At about 21-00 pm a secrete informer gave the information that a person namly Firoj s/o Imam Khan, aged 46 years, R/o. Khalashi line, Mohan nagar, P. Stn. Sadar, Nagpur City is illegally by keeping stock and selling foreign liquor at Jaystambha sqare, near RMS office gate, P.Stn. Sitabirdi, Nagpur city. After getting this information with the help of 02 panchs police staff conduct the raid in above place where you are seen with selling liquor by the police and panchs. Police was trying to catch you but you ran away by keeping yours khaki colours cartoon. In the presence of panchs police check khaki cartoon they found 24 silpack bottle of Mackdall No. 01 celibration Rum, bacth no. 237, feb 2016 180 ml per Price Rs. 110 /- total price Rs. 2640/-. All these muddemal seized in presence of above panchs in above place. Out of which o1bottle seized sailed kept separately for CA Examination. After that police came to the sitabirdi police station with above muddemal for further act. On the basis of complaint of above complainant in Sitabirdi police station C.R. No. 6010/2016 – U/S 65 D, E Maharashtra prohibition act has been register against you.

**8.1.2.**  In above offence during investigation you was absconded and did not found to police so u/s 299 of CRPC the case had been charge sheeted before the J.M.F.C. Court No. 02, Nagpur vide Court Case No. 9854/2016 dated 26/06/2016.

**8.1.3.** On 23/09/2016, you was arrested and same day **police** produced you before the J.M.F.C. Court No. 02, Nagpur who remanded you to magisterial custody till 04/10/2016.

**8.1.4.**  On 23/09/2016, had submitted an application before the J.M.F.C. Court No. 02, Nagpur with requested to release on bail. J.M.F.C. Court No. 02, Nagpur who passed the release order on 23/09/2016, on their furnishing Cash security of Rs. 2,000/- with P.R. Bond of Rs. 10,000/- .

**8.1.5.**  Already case has been charge sheeted before the J.M.F.C. Court No. 02, Nagpur vide Court Case No. 9854/2016 dated 26/06/2016. The case is pending for trial.

**8.2. P. Stn. Sitabirdi C. R. No. 4257/2016 u/s 294, 506-B, 186 I.P.C. R/w 12a Maharashtra Gambling act- Abusing in filthy language, criminal intimidation with threat to cause death, Obstructing public servant in discharge of public functions, Illegal Gambling in public place etc.**

**8.2.1.**  On 20/04/2016, about 21.10 P.M. while the govt. Complainant Sunil Mhaske, Police Hawaldar Buckle No. 389, P. Stn. Sitabirdi, Nagpur city was doing patrolling with his staff. On the basis of secrete information he done the raid in front of RMS office gate, Railway station sitabirdi, Nagpur where you were doing illegal gambling on the name of Kalyan and Kuber from people. In this raid while the police was doing there duty you abetted to your wife against action of police with Abusing in filthy language and criminal intimidation with threat to cause death to police and shouting loudly and create obstacle in police duty and taking advantages of crowd you ran away. On the basis of complaint of above complainant in Sitabirdi police station C.R. No. 4257/2016 – U/294, 506-B, 186 I.P.C. R/w 12a Maharashtra Gambling act has been register against you and your wife.

**8.2.2.** On 21/04/2016, your wife were arrested and same day produced before the J.M.F.C. Court No. 02, Nagpur who remanded her magisterial custody till 02/05/2016.

**8.2.3.**  In above offence during investigation you were absconded and did not found to police so u/s 299 of CRPC the case had been charge sheeted before the J.M.F.C. Court No. 02, Nagpur vide Court Case No. 2530/2016 dated 18/06/2016.

**8.2.4** On 23/09/2016, you was arrested and same day **police** produced you before the J.M.F.C. Court No. 02, Nagpur who remanded you to magisterial custody till 04/10/2016.

**8.2.5.**  On 23/09/2016, had submitted an application before the J.M.F.C. Court No. 02, Nagpur with requested to release on bail. J.M.F.C. Court No. 02, Nagpur who passed the release order on 23/09/2016, on their furnishing Cash security of Rs. 3,000/- with P.R. Bond of Rs. 10,000/- .

**8.2.6.**  Already case has been charge sheeted before the J.M.F.C. Court No. 02, Nagpur vide Court Case No. 2530/2016 dated 18/06/2016. The case is pending for trial.

**8.3 P. Stn. Sitabirdi C. R. No. 171/2016 u/s - 307, 294, 506-B,143, 147, 148, 149, 427 I.P.C. R/w 4-25 Arms act R/w 135 Maharashtra Police Act- Attempt to murder, Abusing in filthy language, criminal intimidation with threat to cause death, mischief, Riot, Moving with deadly weapon and violating provabtary order etc.**

**8.3.1.**  On dated 23/04/2016 Complainant Iftakhar Khan S/o Mustafa Khan, age 35 yrs, R/o Tajbag, Nagpur came to the police station Sitabirdi and gave the report that Today on 23-04-2016 when his Paternal uncle namely Jamil Khan S/o Abdul Rehman Khan, Age 38 yrs, R/o Yasin Pload, Backside of Fouji baba Darga, Ashirwad nagar, Motha Tajbag, Nagpur was doing his work in his panthela at Jaystambh sqare, near railway station sitabirdi, Nagpur. While your associate namely Nikhil Tamsethwar came and took Bidi and Kharra from complainants uncle’s panthela, when complainants uncle ask for money your associates namely Nikhil Tamsethwar said ”dk; dk iSlk \ esjs dks igpkurk ugh D;k \ “ with abusing in filthy language. While you and your wife namely Ruksar Khan and your worker / your associate namely Umesh @Ammu Paisadeli and other 05 to 06 associates of you came there. Your associate Ammu Paisadeli said to complainants uncle ”rq iqyhl dh eq[kchjh djrk gS D;k \ rq gekjs ekyhd ds /kans ds ckjses iqyhl dks Vhi nsrk gS D;k \ rsjk dke gh dj nsrs gS \ “ he also abusing him and pull out him from his panthela and Ammu Paisadeli and Nikhil Tamsethwar and 03-04 your associate started to on 23-04-2016 from 09-30 am to 24-00 pm when he was present on duty as Incharge