

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [ABA] No. 107 of 2015
[Gurwinder Singh Balbir Singh Dhillon Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. R.S. Renu, Adv., for the Applicant.
Mr. A.D. Sonak, APP for respondent.

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CORAM : V.M. DESHPANDE, J.

DATE : 19th October, 2015.

Heard Mr. R.S. Renu, learned counsel for the applicant and Mr. A.D. Sonak, learned APP for the respondent-State.

By the present application, the applicant is seeking anticipatory bail, since he is apprehending his arrest in Crime No. 6/2015 registered with Police Station, Sewagram, Distt. Wardha, for the offences punishable under Sections 420, 468 and 471 of Indian Penal Code.

According to the prosecution case, the applicant is responsible for erasing the original number on the chasis of the vehicle bearing Registration No.CG-04/G-6374, and has embossed some other number.

Learned APP Mr. Sonak submitted that the Investigating Officer has filed reply. He submitted that as per the Investigating Officer, the applicant is not attending the Police Station.

In order to appreciate the plea of the APP in that behalf, it is to be seen that on 5th March, 2015, this Court had granted ad interim relief in favour of present applicant. While granting the ad interim relief, this Court had directed the applicant to attend the concerned Police Station as and when called by the Investigating Officer. Learned APP fairly stated the case diary available with him does not show that after passing of the order by this Court on 5th March, 2015, at any point of time, the Investigating Officer has called the present applicant, and in spite of such calling, the present applicant has failed to attend the Police Station. The statement is accepted.

In view of this position, a blame cannot be put on the present applicant, since what was directed by this Court to the applicant was to attend the Police Station as and when called by the Investigating Officer.

Be that as it may, the interim order is in

operation since long. Further, looking to the nature of the accusation, the interest of the prosecution can be protected by directing the applicant to attend the Police Station. That leads me to pass the following order:-

ORDER

- [a]** Criminal Application [ABA] No. 107 of 2015 is allowed.
- [b]** In the event of arrest of the Applicant – Gurwinder Singh Balbir Singh Dhillon in connection with Crime No. 6/2015 for the offences punishable under Sections 420, 468, and 471 of Indian Penal Code, registered with Police Station, Sewagram, Distt. Wardha, the Applicant be released on bail on he executing a Personal Bond in the sum of Rs. 25,000-00 [rupees twenty-five thousand only] with two solvent sureties of like amount.
- [c]** The Applicant shall attend the Police Station, Sewagram, on 28th and 31st October, 2015 and 5th November, 2015. On these dates, the applicant shall remain with the Investigating Officer from 10.00 a.m., to 5.00 p.m. The applicant is further directed to attend the Police Station as and when required by the Investigating Officer. However, for that, the Investigating Officer

shall give a clearcut forty-eight-hour prior written communication to the applicant.

With this, the Application is allowed and disposed of.

Judge

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