

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [ABA] No.677 of 2014

(Chandrashekhar Narayanraoji Rana

vs.

State of Maharashtra, through P.S.O. City Kotwali, Crime Branch, Amravati)

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

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Court's or Judge's Orders

CORAM : PRASANNA B. VARALE, J.

DATE : JANUARY 28, 2015.

Heard Mr. A.K. Bhangde, the learned Counsel for the applicant.

The applicant is before this Court apprehending his arrest and seeking protection in the nature of pre-arrest bail in connection with Crime No.284/2014 registered at City Kotwali Police Station, District Amravati for the offences punishable under Sections 420, 406, 403, 465, 467 and 468 read with Section 34 of the Indian Penal Code.

While issuing notice to the State, this Court referred to the submissions of the learned Counsel, namely, all the alleged acts referred to one Yogesh Narayan Rana and the applicant is the elder brother of Yogesh Rana. The submission was, the role attributed to the present applicant in the F.I.R. alleged at the instance of one Sharad Kukdey-complainant is that the applicant assured for repayment of the amount. The other

material was finding place of the name of the applicant in an advertisement issued by Yogesh Rana. The applicant was protected by an interim order.

Mr. D.P. Patel, the learned A.P.P. while opposing the application placed reliance on the reply filed by the State. The submission of the learned A.P.P. is, the applicant is the director of a company, which is named and styled as M/s. Rana Enterprises. He further submits that in the investigation carried out so far, certain amount was transferred from M/s. Rana Landmark Pvt. Ltd. to M/s. Rana Enterprises. The attempt of the learned A.P.P. was to submit that the applicant was aware of the ill-intention of Yogesh Rana and as such he permitted transfer of the money from the account of M/s. Rana Landmark to M/s. Rana Enterprises.

Considering this material, the material would be too weak to connect the applicant with the alleged commission of crime at the instance of Yogesh Rana. Moreover, in the process of further investigation, the agency can proceed further without custodial interrogation of the applicant. The interest of the investigating agency can be taken care of by imposing certain conditions on the applicant so as to assist the investigating agency. The applicant was directed by this Court to attend the Police Station periodically by an interim order. Accordingly, the applicant attended the Police Station and extended his co-

operation.

Considering this aspect of the matter, in my opinion, the learned Counsel for the applicant has made out the case.

In the result, the application is allowed. The interim order passed by this Court on 30th December, 2014 is confirmed with a condition that the applicant to attend the office of Investigating Officer on every Sunday of the month from 09:00 a.m. to 12:00 p.m. till filing of the charge-sheet.

The application is disposed of as such.

Hamdast granted.

JUDGE

**sdw*