

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

CRIMINAL APPLICATION (ABA) NO.229 OF 2016

(Pramod Ramrao Deshpande Vs. The State of Maharashtra)

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

Court's or Judge's orders

Shri P. S. Chawhan, Advocate for the applicant.
Shri N. R. Patil, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.

DATED : SEPTEMBER 27, 2016

Heard.

On 08/8/2016 explanatory report from the Deputy Registrar (Judicial), explaining the circumstances in which a cancelled copy of the F.I.R. was allowed to be filed along with the application, was called for. The explanation now has been received. I have gone through it. The explanation is accepted.

The submission of the concerned Section Officer, that in future such mistake will not occur, is also accepted.

It is seen from the record that there are facts and circumstances, which go to show prima facie involvement of this applicant in the crime alleged against him. There are some cheques, which have been issued in the name of this applicant and encashed by him during the period from the year 2010 to year 2013. These cheques were for the amounts of Rs.12,39,800/-, Rs.18,12,000/- and Rs.5,37,000/-. But, the question is, whether custodial interrogation of this applicant would be required or not? The charge-sheet has already been filed. The reply of the

prosecution, which was filed before filing of the charge-sheet, discloses that the custody was required because at that time the investigation was in its preliminary stage. Now, it is clear that the investigation is over with the filing of the charge-sheet. The applicant has retired in the year 2013 and, therefore, even if his custody is granted for tracing out the cash books, which are alleged to be missing, I do not think that it would lead to any fruitful information. Had the applicant been still in service, perhaps, his custodial interrogation may have helped the investigation. In these circumstances, I am of the view that the applicant deserves to be granted anticipatory bail. Hence, the order.

The application is allowed and it is directed that the interim bail granted to the applicant by this Court on 11/4/2016 is hereby confirmed on the same conditions except the condition regarding attendance and now it is directed that the applicant shall regularly attend the trial Court on the dates fixed in the matter and shall cooperate with the trial Court in expeditious disposal of the case.

JUDGE

wwl

CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

Uploaded by : W. W. Lichade

Uploaded on : 28/9/2016