

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

CRIMINAL APPLICATION (APPP) NO. 1135 OF 2016
IN/AND
CRIMINAL APPLICATION (ABA) NO. 505 of 2016
(Prakash Sharad Puranik Vs. The State of Maharashtra)

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

Court's or Judge's orders

Shri R. M. Daga, Advocate for the applicant.
Shri Mir Nagman Ali, Advocate for the intervenor.
Shri T. A. Mirza, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.
DATED : 01 SEPTEMBER 2016

APPP NO. 1135/2016 :

Heard.

For the reasons stated in the application, the application is allowed. Permission to assist the prosecution is granted.

ABA NO. 505/2016 :

Heard learned Counsel for the applicant and the learned A.P.P. for the State, assisted by the learned Counsel for the complainant.

Having seen the first information report and the case-diary, I am of the view that the allegations made against this application, prima facie, do not go beyond what is called as negligence or failure to perform the duty on his part. There is also doubt about what sort of duty

the applicant was having in the instant case. According to the learned Counsel for the applicant, the applicant was not having a job to verify the genuineness of the orders placed by the buyers. The duty list, it appears, has not been supplied by the complainant-Company to the Investigating Officer. Therefore, no comments in this regard can be made. But, the fact remains that neither there has been any specific allegation of any criminality having been made against this applicant nor is there any material available on record showing that this applicant was acting in collusion with the main accused Sachin Kothari in placing orders with the Company for supply of certain medicines for the purpose other than supplying the medicines to the Government Hospitals. Therefore, I am of the view that this applicant deserves to be granted anticipatory bail.

The application is allowed.

Interim bail granted to the applicant by this Court on 03/8/2016 is hereby confirmed on the same conditions except the condition regarding attendance and now it is directed that the applicant shall attend the police station as and when required.

CERTIFICATE

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

Uploaded by : W. W. Lichade

Uploaded on : 01/9/2016