

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

CRIMINAL APPLICATION (ABA) NO. 513 OF 2016

(Pradip Manikrao Patil 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

Mrs. Prajakta Chaudhari, Advocate for the applicant.
A.P.P. for the State.

CORAM : S. B. SHUKRE, J.
DATED : AUGUST 16, 2016

Heard. Perused the case-diary and the reply of the prosecution.

Although this application has been strongly opposed by the learned A.P.P. for the State, I find from the case-diary that there is no material present on the record from which one could say that this applicant had knowledge about the quality and productivity of the seeds.

Admittedly, this applicant was not the producer of the seeds and that he had only sold them in the condition in which he received from the producer of the seeds. Therefore, it is doubtful if offence punishable under Section 420 of the Indian Penal Code would be made out against this applicant at this stage or not. Then, admittedly, no order under Section 3 of the Essential Commodities Act has been issued so as to cover the commodity seized. In these circumstances, I am inclined to grant this application.

The application is allowed and the interim bail granted to the applicant by this Court on 09/8/2016 is hereby confirmed on the same conditions.

CERTIFICATE

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

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