

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

CRIMINAL APPLICATION (ABA) NO. 555 OF 2015

(MADHUKAR RANGLAL PAWAR...VS..STATE OF MAH. THR. PSO PS BARSHITAKLI, DIST. AKOLA.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : MARCH 21, 2016.

CRI.APPLN.(APPP) NO.1264/2015.

Heard Shri A.S.Kilor, advocate for the applicant/
complainant, Shri A.S.Mardikar, learned Senior Advocate a/b
Shri N.R.Tekade, advocate for the applicant and Shri
N.B.Jawade, A.P.P. for the non-applicant.

Considering the reasons given in the application,
the complainant is permitted to assist the prosecution.

The Criminal Application is allowed.

CRI.APPLN.(ABA) NO. 555/2015.

Heard learned advocates for the respective
parties.

The applicant is seeking pre-arrest bail in the
crime registered against him for the offence punishable under
Section 354(1) of the Indian Penal Code.

The accusations against the applicant are that he has misused his position as Principal of the college where the complainant is an employee and had been talking with her in indecent and filthy manner.

Initially, the prosecution opposed the application on the ground that the applicant, who is granted interim protection, was not co-operating with the investigation. One of the submission on behalf of the non-applicant was that the voice sample of the applicant is required and the applicant was not co-operating and not giving the voice sample. This Court passed order on 23rd February, 2016 directing the applicant to attend the Police Station to give the voice sample. The learned A.P.P. has informed that the voice sample of the applicant has been collected. The grievance was made by the complainant that her voice sample was not being taken by the Investigating Officer. Pursuant to the order passed by this Court on 23rd February, 2016, it is reported that the voice sample of the complainant is also taken. The complainant is opposing the application on the ground that the applicant is an influential person and the Investigating Officer had been throughout helping the applicant instead of collecting the evidence against him.

Considering the nature of the accusations against the applicant and the fact that the non-applicant has not been able to show that the custody of the applicant is required for further investigation, in my view, the interim order passed by this Court on 26th October, 2015 is required to be confirmed, however, on certain conditions.

Hence, the following order :

- i) In the event of arrest in Crime No.122 of 2015, registered by the non-applicant, the applicant is released on bail on furnishing P.R. Bond for Rs.Twenty Five Thousand with one solvent surety in the like amount.
- ii) The applicant shall regularly attend the Police Station, Barshi-Takli, District : Akola on every Monday, Wednesday and Friday between 11.00 a.m. and 1.00 p.m. till the report of the voice sample is received by the Investigating Officer and till the charge-sheet is filed.

The application is allowed in the above terms.

JUDGE

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