

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

CRI. APPLICATION (ABA) NO. 20 OF 2017

(MUKESH RAMESH GIRI...VS.. STATE OF MAH. THR. P.S.O. PS NANDGAON PETH, AMRAVATI)

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

Court's or Judge's orders

Shri A.H. Lohiya, Advocate for Applicant.
Shri M.J.Khan, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 14, 2017.

The applicant, apprehending arrest in crime registered for the offences punishable under Section 379 read with Section 34 of the Indian Penal Code and Sections 8(1), 21(1)(2) of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975, has sought pre-arrest bail. The crime is registered on the complaint lodged by Secretary of Dr. Bonde that three trees which were standing on the boundary of the land owned by Dr. Bonde are illegally cut.

The record shows that Special Civil Suit No. 31 of 2014 filed by Dr. Bonde against the applicant is pending in respect of the agricultural land. The applicant claims to be an agriculturist.

The applicant has stated that he is not involved in any other crime/ offence. The applicant is granted interim protection by the order dated 13th January, 2017. It is not the complaint of the non-applicant that the applicant has misused the interim protection. The non-applicant has not been able to point out that the custody of the applicant is required for further investigation.

In the above facts, in my view, the order dated 13th January, 2017 is required to be confirmed. It is confirmed and the application is **allowed** accordingly.

JUDGE

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