

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

CRI. APPLICATION (ABA) NO. 37 OF 2017

(SAGAR BANDUPANT INGOLE...VS.. STATE OF MAH. THR. P.S.O. PS FREZARPURA, AMRAVATI)

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

Court's or Judge's orders

Shri S.D.Dharaskar, Advocate for Applicant.
Shri A.D.Sonak, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 14, 2017.

Heard.

The applicant, apprehending arrest in crime registered against him for the offences punishable under Sections 406 and 420 of the Indian Penal Code, has sought pre-arrest bail. The crime is registered on the complaint of Vijay Gopaldas Tiwari-employee of M/s. A.K. Gandhi Cellular Pvt. Ltd., Amravati. The applicant was working with the firm and was entrusted the job of selling mobiles to sub-dealers, collecting money from them and depositing the amount with the firm. According to the complainant, the applicant had not deposited the amount of Rs.1,60,985/- collected by him from the sub-dealers during the period from January, 2016 to March, 2016.

The facts on record show that the applicant was working with the firm, that he is removed from job in April, 2016, that there is some dispute about salary of the applicant for the period from December, 2015 to April, 2016.

The applicant has stated that he is not involved in any other crime/ offence. This Court has granted interim protection to the applicant by order passed on 23rd January, 2017. It is not the complaint of the Investigating Agency that the applicant has not co-operated with the Investigating Agency.

Considering the facts of the case and as the Investigating Agency has not been able to show that the custody of the applicant is required for further investigation, in my view, the interim protection granted by the order passed on 23rd January, 2017 is required to be confirmed.

The interim protection is confirmed. The application is **allowed** accordingly.

CRI.APPLN.(APPP) NO.100/17 & 119/17.

In view of disposal of the ABA No.37 of 2017, the applications praying for time to file certified copy of annexure and say of the prosecution do not survive, hence, both the criminal applications are **disposed of**.

JUDGE