

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

CRIMINAL APPLICATION (ABA) NO.133 OF 2017

Vishal s/o Haribhauji Ambatkar

..VS..

State of Maharashtra, through Police Station Officer, Police Station Allipur,
District Wardha

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

Court's or Judge's Order

Shri N.S. Khubalkar, Counsel for the applicant.
Shri A.V. Palshikar, Addl.P.P. for the non-applicant/State.

CORAM : P.N. DESHMUKH, J.
DATED : MARCH 21, 2017.

This is an application for grant of anticipatory bail by accused involved in Crime No.41 of 2017 registered for the offences punishable under Sections 354 and 506 of the Indian Penal Code.

Heard learned counsel for the applicant and learned Additional Public Prosecutor.

Learned counsel for the applicant submits that applicant is falsely involved by complainant on the say of her brother-in-law who is aspiring for the post of police patil which is likely to be renewed shortly and presently is held by applicant. It is also case of applicant that complainant is working as a labour in the field of applicant's uncle whose relations are strained

with applicant for some reasons and thus on his say she has falsely implicated applicant and has thus claimed that applicant since is a Police Patil, will co-operate with investigating agency and for that purpose his custodial interrogation is not required and prayed that application be allowed.

Learned Additional Public Prosecutor opposed the application as per its reply on record and submitted that application be rejected.

Perusal of report reveals that on the day of incident applicant by coming from backside of complainant caught hold of her and attempted to remove her inner-wear and as such had outraged her modesty.

Considering contents as aforesaid, there appears no reason of seizure of any articles. Applicant is protected from his arrest by *interim* orders who was directed to attend investigating officer from 6.3.3017, which directions are complied by applicant.

In that view of the matter and as there is nothing to not to rely upon case of applicant that post of Post Patil is not likely to be renewed in August 2017, pending investigation application is liable to be allowed by imposing suitable conditions. Hence, the following order:

Interim order dated 3.3.2017 stands confirmed on same terms and conditions with further

direction to applicant to attend investigating officer, till
filing of charge-sheet.

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 22/3/2017

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