

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

CRIMINAL APPLICATION (APPLN) NO.15 OF 2017

Jaspalsingh s/o Nirmaltejsingh Renu

..vs..

State of Maharashtra, through PSO, Police Station Sadar, Nagpur and ors

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

Court's or Judge's Order

Shri Vivek Awchat, Counsel for the applicant.

Shri Vishgwajeetsingh Oberoi, Counsel for non-applicant Nos.2 and 3.

Shri N.B. Jawade, Addl.P.P. for non-applicant No.1/State.

CORAM : V.M. DESHPANDE, J.

DATED : JUNE 27, 2017.

This is an application under Section 439(2) of the Code of Criminal Procedure for cancellation of anticipatory bail granted by learned Ad hoc District Judge and Additional Sessions Judge, Nagpur dated 15.3.2013 in Misc. Criminal Application No.623 of 2017 by which learned Judge of the Court below has granted anticipatory bail in favour of present non-applicant Nos.2 and 3 in Crime No.112 of 2017 registered with Sadar Police Station for the offences punishable under 394, 120(b) read with Section 34 of the Indian Penal Code. While granting anticipatory bail, learned Judge of the Court below also directed non-applicant Nos.2 and 3 to attend police station for the purposes of interrogation till filing of the charge-sheet.

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Today, learned Additional Public Prosecutor Shri N.B. Jawade for the State submits, on instructions which he has received from the investigating officer, that the police after investigating the crime, noticed that there is no iota of evidence insofar as the offence punishable under Section 394 of the Indian Penal Code is concerned and the entire investigation is complete and within few days the charge sheet will be filed.

Looking to the submissions made by learned Additional Public Prosecutor that there is no material insofar as serious offence punishable under Section 394 of the Indian Penal Code is concerned, I see no reason to upset the order granting anticipatory bail in favour of non-applicant Nos.2 and 3. Hence, the criminal application is rejected.

JUDGE

!! BRW !!

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