

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

CRI. APPLICATION (ABA) NO. 231 OF 2017

(ASHOK JIVANDHAR JAIN & OTH...VS.. STATE OF MAH. THR. P.S.O. HUDKESHWAR, NAGPUR)

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

Court's or Judge's orders

Shri Sunil Manohar, Sr. Advocate a/b. Shri U.B.Dable,
Advocate for Applicants.
Shri T.A.Mirza, A.P.P. for Non-applicant.
Shri Tarun Parmar, Advocate for Complainant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 29, 2017.

CRI.APPLN.(APPP) NO.712/2017

This application is filed by the complainant seeking permission to assist the prosecution. Applicant-Moreshwar Dadaji Ghadge has not been able to show how he is connected with the subject matter.

Considering the nature of the crime alleged and the fact that the applicant has not been able to show that how he is connected with the subject matter, the application is **rejected**.

CRI.APPLN.(ABA) NO.231/2017.

Heard.

The applicants, apprehending arrest in crime registered against them for the offences punishable under Sections 420, 417, 419, 120-B read with Section 34 of the Indian Penal Code, have sought pre-arrest bail. The crime is registered on the complaint lodged by Moreshwar Dadaji

Ghadge that the applicant No.2 has signed the Correction Deed impersonating as Dhamendra Jain (Secretary of the Society).

The application is opposed on the ground that Crime No.119 of 2004 for the offence punishable under Sections 324 and 34 of the Indian Penal Code and Crime No.217 of 1993 for the offence punishable under Sections 324 and 34 of the Indian Penal Code are earlier registered against the applicants. According to the Investigating Agency, there is ample material available with it which *prima-facie* shows involvement of the applicants in the crime.

The applicant Nos. 1 and 3 (father and son) claim to be businessmen, applicant No.2 (aged about 72 years) claims to be doing private job.

This Court has granted interim protection to the applicants by the order passed on 6th April, 2017 with directions to the applicants to attend Police Station as and when required and co-operate with the Investigating Agency. The Investigating Agency has not complained that the applicants have not co-operated with it. The non-applicant has not been able to show that the custody of the applicants is required for further investigation.

In the facts of the case, the order passed by this Court on 6th April, 2017 granting interim protection to the applicants is confirmed.

The application is **allowed** accordingly.

CRI.APPLN.(APPP) NO.581/2017.

In view of disposal of the bail application, the application praying for grant of time to file certified copy of order does not survive, hence, it is **disposed of**.

JUDGE

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