

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

CRI. APPLICATION (ABA) NO. 391 OF 2017

(HARISH MOHAN GWALBANSI...VS.. STATE OF MAH. THR. P.S.O. PS GITTIKHADAN, NAGPUR)

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

Court's or Judge's orders

Shri R.S.Akbani, Advocate for Applicant.
Shri V.A.Thakare, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 27, 2017.

Heard.

The applicant, apprehending arrest in crime registered against him and others for the offences punishable under Sections 141, 143, 341, 352, 384, 387 read with Section 34 of the Indian Penal Code, has sought pre-arrest bail. The crime is registered on the complaint lodged by Babarao Dhomne that his wife purchased a plot in 2002 from Narmada Co-operative Housing Society, however, recently the applicant and 15-20 unknown persons had been to the plot of the complainant's wife and threatened the complainant that if the complainant stakes his claim for possession over the plot, the complainant's hands and legs would be chopped off. It is alleged that the applicant and his associates are demanding Rs.7,00,000/- from each of the plot holders, contending that the land belongs to tribal person and it cannot be alienated to non-tribal.

The application is opposed on the ground that the investigation is in progress. According to the Investigating Agency the applicant is habitual offender and about 10 crimes have been registered against him since 1995.

The learned advocate for the applicant has submitted that the applicant is a social worker and elected Corporator and he is supporting the cause of tribals and is protecting their interests. It is submitted that though 10 crimes have been registered against the applicant since 1995, after trial he is acquitted in 8 cases.

Considering the facts of the case, following order is passed:

In the event of arrest in crime registered against the applicant vide F.I.R. No. 234/2017, registered by the non-applicant, the applicant be released on bail on furnishing cash security of Rs.One Lakh and two solvent sureties in the like amount.

The applicant shall surrender his passport to the Investigating Agency within one week.

The applicant will not enter the limits of Nagpur District till filing of the charge-sheet except for attending meeting at Nagpur Municipal Corporation if presence of the applicant in that meeting is indispensable.

The applicant shall attend Police Station, Gittikhadan, Nagpur on every Monday between 1.00 pm to 4.00 pm till charge-sheet is filed.

The application is **allowed** in the above terms.

JUDGE