

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

CRIMINAL APPLICATION (ABA) NO.589/2017

Sau. Geetabai Ghanshyam Kanjar ..vs.. State of Maharashtra through PSO
P.S. Ramnagar, Chandrapur.

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

Court's or Judge's orders.

Mr. R. H. Rawlani, Advocate for applicant.
Mr. T. A. Mirza, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.
DATED : AUGUST 29, 2017

This is an application for anticipatory bail. The applicant is apprehending her arrest in connection with Crime No.1150/2017 registered with Police Station, Ramnagar, Chandrapur for an offence punishable under Section 65(e) of the Bombay Prohibition Act read with Section 188 of the Indian Penal Code.

The learned A.P.P. has filed the reply. Along with the reply, he has given the chart showing 10 offences that are registered under Section 65 (e) and 65 (kh) of the Bombay Prohibition Act from the year 2016 till date. That shows that the applicant is having inclination to repeat the offences if released on bail. Further, Mr. Rawlani, learned counsel for the applicant points out that the applicant is already acquitted insofar as 6 offences are concerned. He invited my attention to one judgment, copy of which is annexed herewith. Perusal of the said judgment shows that the learned

Magistrate has utterly failed to consider the provisions of Section 293 of the Cr.P.C. resulting into acquittal of the applicant.

Be that as it may, since the applicant is continuously indulging herself into obnoxious trade of liquor which is prohibited in Chandrapur District, showing leniency in favour of the applicant will nothing but travesty of justice.

In view of above, the application is rejection. Ad interim relief granted in favour of the applicant stands vacated.

JUDGE