

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

CRIMINAL APPLICATION (ABA) NO.594 OF 2017

Shoeb Khan Kalimulla Khan

..VS..

The State of Mah., thr PSO PS Warud, Tahsil Warud, District Amravati

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

Court's or Judge's Order

.....
Shri R.M. Daga, Counsel for the applicant.
Shri R.S. Nayak, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 6, 2017.

Heard learned counsel Shri R.M. Daga for the
applicant and learned Additional Public Prosecutor Shri R.S.
Nayak for the State.

The applicant is apprehending his arrest in
connection with Crime No.544 of 2017 registered with Police
Station Warud, District Amravati for the offences punishable
under Sections 365 and 323 read with Section 34 of the Indian
Penal Code.

This Court on 18.8.2017 granted *interim* protection
in favour of the present applicant. While granting *interim*
protection, this Court directed that the applicant shall attend
the police station on 23.8.2017, 26.8.2017, and 29.8.2017 in

.....2/-

between 4:00 p.m. and 6:00 p.m..

According to learned counsel for the applicant, the applicant has attended the police station.

The said aspect of attending the police station is not disputed by learned Additional Public Prosecutor for the State.

As per the reply, physical custody of the applicant is required for further investigation.

Since the applicant was with the investigating officer for 3 days, it is clear that during this period the investigating officer must have conducted the investigation vis-a-vis the present applicant, insofar as his presence is concerned.

Further, looking to the nature of accusations made in the first information report against the present applicant, in my view, further custodial presence of the applicant is not at all necessary.

Resultantly, the criminal application is allowed and disposed of and order dated 18.8.2017 stands confirmed.

JUDGE

!! BRW !!

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