

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

CRIMINAL APPLICATION NO.864/2017

Lomesh @ Lomeshwar s/o Balaji Fating ..vs.. State of Maharashtra through
PSO P.S. Mouda, Tq. Mouda, Dist. Nagpur

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

Court's or Judge's orders.

Mr. N. M. Jibhkate, Advocate for applicant.

Mrs. K. R. Deshpande, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 12, 2017

Heard Mr. N.M. Jibhkate, Advocate for applicant
and Mrs. K.R. Deshpande, A.P.P. for non applicant-State.

The applicant is arrested on 15.07.2017 by Police
Station Officer, Mouda in connection with Crime
No.342/2017 for an offence punishable under Sections 419,
467, 468 read with Section 34 of the Indian Penal Code.

Though, the matter is coming for the first time,
the learned A.P.P. is armed with the instructions. Not only
that, she has filed here reply on behalf of the prosecution
which is taken on record. Though in the reply it is stated
that investigation is at the preliminary stage, on instructions
from the investigating officer and from the investigation
papers, learned A.P.P. makes a statement that the
investigation is already over and only the formality of filing
of the charge-sheet is remained to be done.

The other accused persons are already released
on bail either by this Court or by the learned Judge of the
Court below. Looking to the fact that the investigation is

already over and looking to the pendency of the cases before the learned Magistrate, since the matter is triable by the Court of Magistrate, no purpose would be served by putting the applicant behind the bars.

In that view of the matter, following order is passed.

ORDER

- (i) Criminal Application No.864/2017 is allowed.
- (ii) Applicant-Lomesh @ Lomeshwar s/o Balaji Fating be released on bail in connection with Crime No. 342/2017 registered with Police Station, Mouda, Tq. Mouda, Dist. Nagpur for an offence punishable under Sections 419, 420, 467, 468 read with Section 34 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.25,000/- with two solvent sureties in the like amount.
- (iii) The applicant shall attend Police Station, Mouda once in a month, preferably on last Sunday of every month for six months from today. After lapse of six months, if the applicant is scrupulously following the condition, it will be open for him to file an application for relaxation of the condition.

The application stands disposed of.

JUDGE