

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

CRIMINAL APPLICATION (ABA) NO.667 OF 2016
(Dharmesh Arjunabhai Patel vs. State of Maharashtra)

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

Ms. P.S. Kosare, Advocate for applicant.
Shri V. Gangane, Additional Public Prosecutor for
respondent.

CORAM : P.N. DESHMUKH, J.

DATED : JANUARY 06, 2017

On the earlier date, directions were given to applicant to attend Investigating officer from 15/12/2016 till 23/12/2016. Admittedly, applicant has complied with the same and according to learned Additional Public Prosecutor, applicant has cooperated with investigation.

Ms. Kosare, learned Counsel for applicant, submits that applicant is a resident of Gujarat and deals in supply of plastic raw material and had accordingly supplied the same to complainant Suraj. However, for some reason, goods were returned back and though applicant had refunded the amount, false report came to be lodged wherein applicant is apprehending his arrest. It is further contended that on 16/6/2016, i.e. about one month prior to lodging of report, complainant in fact had issued a letter to applicant stating therein that all transactions in respect of goods returned by him to applicant's firm have come to an end.

From aforesaid document on record at Annexure 2, it is thus found that much prior to lodging of report, no transactions were pending between the parties. Having considered the facts as aforesaid and as co-accused, who is partner of applicant is admittedly released on bail, interim protection granted to applicant is liable to be confirmed with further direction as per order below :

Interim protection granted by this Court on 27/10/2016 to applicant is confirmed. Applicant shall attend Investigating Officer as and when called till filing of charge-sheet. Applicant shall furnish proof of his residential address to Investigating Officer and shall update the same in the event of any change. The criminal application is accordingly allowed.

JUDGE

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