

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

CRIMINAL APPLICATION (ABA) NO.734/2017

Devid s/o Laxman Lengure ..vs.. State of Maharashtra thr. PSO P.S. Chimur,
Dist. Chandrapur.

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

Court's or Judge's orders.

Mr. A. Bandre, Advocate for applicant.

Mr. K. L. Dharmadhikari, A.P.P. for non applicant.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 11, 2017

Heard Mr. Bandre, learned counsel for the applicant. A police constable who is supposed to maintain dignity of law and the dignity of womanhood in the society, is exploiting the complainant taking disadvantage of his casual relations with her. According to the learned counsel for the applicant, he is falsely implicated in the crime because on 01.11.2017, the applicant who is posted as Police Constable with Police Station, Chimur, along with other police staff, raided on the house of the father of the complainant since there was a secret information that her father is indulged in the illegal sale of liquor which is prohibited in Chandrapur District. This particular statement, in my view, is in the nature of defence and the same will be decided during the course of trial.

The FIR is very clear in which complainant, a divorcee has made a specific allegation against the present

applicant that that by taking disadvantage of her casual relations with the applicant, being a neighbour, has created a fake Facebook account and has made it public and thereby sent obscene messages and he was trying to malign womanhood.

In my view, it was the duty of the police officer to maintain the dignity of womanhood and not to exploit them. Further, according to the learned A.P.P. the applicant has not cooperated with the investigation and has not handed over another handset in spite of the communication given to him, which was denied by the present applicant.

No case is made out for exercising the discretion in favour of the present applicant. The application is therefore rejected. Needless to state that the order dated 30.10.2017 shall stand vacated.

JUDGE