

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

CRIMINAL APPLICATION [APL] NO.44 OF 2017

[Ramadevi Tirupati Wadalwar .vs. State of Maharashtra and one]

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

Court's or Judge's orders

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Shri S.V. Sirpurkar, Advocate for applicant,
Shri S.J. Kadu, APP for non-applicant no.1-State.

CORAM : P.N. DESHMUKH AND
MRS. SWAPNA JOSHI, JJ.

DATED : SEPTEMBER 03, 2018.

Heard.

This is an application for quashing and setting aside FIR registered against the applicant in Crime No.3/2017 for offence under Sections 504, 506 of the Indian Penal Code and under Section 3 (2) (V) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

During the course of hearing, learned counsel for applicant has submitted that this Court by order dated 20th January, 2017 had directed the applicant by issuing directions to non-applicant no.1-State not to take coercive steps against the applicant and has also restrained from filing of chargesheet.

Learned Additional Public Prosecutor makes a statement that investigation is complete, however, no chargesheet could be filed in view of order of this Court as aforesaid. Learned APP further makes a statement that chargesheet can be filed immediately as investigation is complete.

In the circumstance, learned counsel for applicant submits that in the event the applicant is protected further till his application for bail is decided by trial court, he shall not press the present application.

In view of submissions made as aforesaid, without going into the merits of the present application, we pass the following order :

- (i) Order restraining State from filing chargesheet is recalled.
- (ii) On filing chargesheet, interim protection granted to applicant shall continue till applicant files application before the trial court for grant of bail and till the same is decided.

Application stands disposed of in above terms with no order as to costs.

JUDGE

JUDGE

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