

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

Criminal Application (ABA) No. 282 of 2019

Chanda Gajbhiye

Vs.

State Through P.S. Gittikhadan, Nagpur City

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

Court's or Judge's orders

Mr. Sk. Sabahat Ullah, Advocate for applicant.
Mr. M.J. Khan, APP for non-applicant.

CORAM : MANISH PITALE, J.

DATED : JULY 22, 2019

The applicant herein has approached this Court apprehending arrest in connection with FIR dated 17/02/2019, registered against the applicant and two other accused persons for the alleged offences under Sections 363, 366, 328, 370, 506 R/w 34 of the Indian Penal Code.

2. The allegation in the present complaint indicates that the main role is attributed to the co-accused persons being two ladies who allegedly took away the victim to be sold for the purpose of marriage. The role attributed to the applicant herein appears to be that of a person accompanying them. It is also contended that both the said main accused persons were granted bail by the Sessions Court on 16/04/2019 on

certain conditions.

3. Although, the learned APP has strongly opposed the application by contending that the co-accused persons have been granted regular bail while the present applicant has been absconding, it is found that the role attributed to other two accused persons being main accused was that they had actually put hankerchief on the face of the victim due to which she became unconscious and then she was taken by the said co-accused. No specific role is attributed to the applicant herein.

4. This aspect was taken into account by this Court while granting ad-interim protection to the applicant on 09/5/2019. The ad-interim protection was granted on following terms.

“i] In the event of arrest, in connection with Crime No. 94/2019, registered with the non-applicant, the applicant be released on provisional bail on executing P.R. bond of Rs.25,000/- and furnishing two solvent sureties in the like amount.

ii] Applicant shall attend Police Station Gittikhadan, Nagpur every Sunday and Wednesday between 10:00 a.m. to 1:00 p.m. until further orders.”

5. It is recorded that the applicant has indeed attended the police station as directed by this Court. Considering the aforesaid facts, the

present application is allowed and the interim protection granted to the applicant stands confirmed on the same conditions on which it was granted by order dated 09/05/2019.

6. Accordingly, the applicant is directed to attend Police Station, as directed, till filing of charge-sheet.

7. Application is allowed in above terms.

JUDGE