

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

Criminal Application (ABA) No. 454 of 2019

Narendra Bhondekar
Vs.
State of Mah. Through P.S. Bhandara

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

Court's or Judge's orders

Mr. S.V. Sirpurkar, 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 04.7.2019 for offences under Sections 332, 353 R/w 34 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act, 1984. FIR has been registered against the applicant and four unknown persons and the allegation is that when the complainant, who is working as Junior Labour Inspector in the office of the Labour Commissioner at Nagpur visited Bhandara for distributing labour kits, the applicant confronted him and slapped him in the presence of witnesses. But, the applicant on the other hand claimed that the applicant was distributing labour kits only to those who were giving money to him.

2. The applicant claims to be an Ex-MLA and

he claims to have acted in the interest of the public to dissuade a person like the complainant. There is no doubt that such incidents are on the rise. Even if there is any kind of grievance, the applicant could have followed the rule of law to bring such grievance to the notice of the higher authorities.

3. It is also pointed out by learned counsel for the applicant that the applicant himself had lodged a complaint against the complainant but nothing moved forward on that count.

4. It appears that the incident took place when the applicant claims to have acted against the complainant to prevent corrupt practices. There is no manner in which, at this stage, it can be said as to whether there is any substance in the said claim. But, since complainant is resident of Nagpur and the incident has taken place at Bhandara, the applicant can be granted conditional relief so as to ensure that the investigation is carried out expeditiously and material that may come on record against the applicant can be placed before the appropriate Court.

4. In view of the above, the present application is allowed on the following terms.

Hence, in the event, the applicant is arrested in Crime No. 449 of 2019, registered at Police Station

Bhandara District Bhandara, he shall be released on bail on furnishing PR bond of Rs.15,000/- and surety in the like amount. He shall co-operate with the investigation. He shall attend the Police Station Bhandara, District Bhandara, once a week i.e. on Sunday between 10:00 a.m. and 5:00 p.m., till filing of the charge-sheet. The applicant shall not threaten or otherwise disturb the complainant if the complainant visits Bhandara on official duty or otherwise. The applicant shall not tamper with the evidence or influence the witnesses.

5. Application is allowed in above terms.

JUDGE