

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

CRIMINAL APPLICATION (ABA) NO.506/2019
Sau.Mamta Amal Biswas

..VS..

State of Mah., thr. PSO PS Mulchera, District Gadchiroli

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

Court's or Judge's Order

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Shri S.V.Sirpurkar, Counsel for the Applicant.
Shri S.S.Doifode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : SEPTEMBER 11, 2019.

1. The applicant is apprehending her arrest in connection with Crime No.33/2019 registered with Mulchera Police Station, District Gadchiroli for offences under Sections 406, 409, 420, 175, and 187 read with Section 34 of the Indian Penal Code.

2. Heard learned counsel Shri S.V.Sirpurkar for the applicant and learned Additional Public Prosecutor Shri S.S.Doifode for the State.

3. In pursuance to order passed by this Court (Coram : Manish Pitale, J.) on 4.9.2019, learned Additional Public Prosecutor Shri S.S.Doifode for the State placed on record Enquiry Report on the basis of which crime was registered against the present applicant.

4. As per directions given by Chief Executive

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Officer, Zilla Parishad, Gadchiroli, enquiry was conducted by duly constituted Enquiry Committee wherein the said Committee found that the present applicant, who is Sarpanch, and Secretary of Grampanchayat are responsible for mis-appropriation of amount.

5. Documents pertaining to crime are already seized and in possession of Investigating Officer.

6. Secretary of Grampanchayat is already released on anticipatory bail by learned Judge of Court below.

7. On 26.7.2019, this Court (Coram : Manish Pitale, J.) protected the present applicant on condition that she shall attend the police station. Accordingly, the applicant attended the police station and joined investigation.

8. In this view of the matter and looking to the fact that the applicant is lady, in my view, discretion can be exercised in her favour. Consequently, following order is passed.

ORDER

(i) The criminal application is allowed.

(ii) Order dated 26.7.2019 passed by this Court (Coram : Manish Pitale, J.) is made absolute.

(iii) The applicant is directed to attend the police station as and when her presence is required by Investigating Officer, till filing of chargesheet, however for that Investigating

Officer shall give her a 3-day written communication.

(iv) The criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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