

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

CRIMINAL APPLICATION (ABA) NO.600/2019

Suraj Kumar s/o Rambhavan Pande Vs. State of Maharashtra, through PSO,
P.S. Gadchandur, Tah.Korpan, 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. S. N. Ghodeswar, Advocate h/f Mr.Y.B. Mandpe,
Advocate for applicant.
Mr. S.S. Doifode, A.P.P. for non applicant / State.

CORAM : V. M. DESHPANDE, J.
DATED : SEPTEMBER 16, 2019

The reply of the State is taken on record. In the reply it is pointed out by the State that the applicant did not attend the police station as directed by this Court on 30.08.2019 while granting *ad interim* protection in his favour.

Mr. S. N. Ghodeswar, learned counsel holding for Mr. Y.B. Mandpe, learned counsel for the applicant submits that the applicant is not keeping in touch with them and therefore, they have no instructions as to whether the applicant had adhered with conditions imposed upon him or not. Learned counsel also submits that local counsel also telephonically informed him that the applicant is not in touch even with the local counsel.

Reply filed on behalf of the State would show that a secret information was received by the police

machinery that the applicant, resident of Chandrapur district, is conducting business illegally to sell liquor in his house. Chandrapur district is a dry district whereat transportation, possession, selling, purchasing of liquor is prohibited. According to reply, when the raiding party came to the house of the applicant that time the applicant not only abused the complainant Mr. Sunil Meshram, a police constable but also tried to assault on him by twisting his hand. Therefore, another police constable Mr. Pravin Nikode intervened, to him also he pushed and ran away. The reply also shows that the applicant is a history sheeter and as many as 13 offences are pending against him. It shows that the applicant is a repeater. In addition to that the applicant has not complied with the conditions imposed on him by this Court.

In that view of the matter, I am of the view that application needs to be rejected. Accordingly, the application is rejected.

Interim order dated 30.08.2019 passed by this Court stands vacated. It shall be open for the investigating officer to take necessary steps in accordance with law.

JUDGE