

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

CRIMINAL APPLICATION (ABA) NO.610/2019
Suresh Rameshbhai Sanghai (Agrawal) and anr
..VS..

State of Mah., thr. PSO PS Kholapuri Gate, Taluka and District Amravati

.....
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 R.J.Shinde, Counsel for Applicants.
Shri M.J.Khan, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : SEPTEMBER 17, 2019.

1. On 30.8.2019, this Court granted *ad interim* protection in favour of present applicants on conditions that applicants shall attend Kholapuri Gate Police Station, District Amravati from 3.9.2019 to 8.9.2019 and shall join investigation and extend cooperation to Investigating Officer.
2. Learned Additional Public Prosecutor Shri M.J.Khan for the State, has invited my attention to statement made on affidavit by Investigating Officer in reply which shows that in spite of specific directions given by this Court, applicants did not join investigation and they did not remain present before Investigating Officer. Thus, applicants are persons who have enjoyed shelter given by this Court, however at the same time they have not adhered with conditions imposed upon them. In spite of the order, applicants are not appearing before Investigating Officer.

3. Paragraph No.8 of reply, shows that though Investigating Officer has made possible efforts and repeatedly visited houses and commercial establishments of applicants situated at Amravati, both were found lock. Investigating Officer has also recorded statement of Manish Sanghai, who is cousin of applicant No.2-Ashish Sanghai, who also could not furnish details about whereabouts and residential addresses.

4. No counter affidavit is filed to statement made in the reply filed by the State.

5. First Information Report lodged by complainant shows that he is duped by applicants.

6. Since applicants are not law abiding persons inasmuch as they flouted conditions imposed upon them, they are not entitled for any discretionary relief. Hence, the criminal application is rejected.

7. Interim order granted on 30.8.2019 stands vacated.

JUDGE

!! BRW !!

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