

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

CRIMINAL APPLICATION (ABA) NO.661 OF 2019

Navinkumar s/o Tukaram Mahajan .Vs. State of Maharashtra,through P.S.O,
P.S. Jaripatka, Nagpur.

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

Court's or Judge's orders.

Mr. Abdul Subhan, Advocate for applicant.
Mr. V.A. Thakare, A.P.P. for non applicant- State.

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

Heard Mr. Abdul Subhan, learned counsel for applicant and Mr. Thakare, learned Additional Public Prosecutor for State. Also perused the reply filed on behalf of the State.

The applicant is apprehending his arrest in connection with Crime No.861/2019 registered with Police Station, Jaripatka, Nagpur for an offence punishable under Sections 170, 323, 384, 406, 420, 465, 467, 468, 471, 506, 507 read with Section 34 of the Indian Penal Code, 1860 and Sections 66 and 67 of the Information Technology Act, 2000.

The report was lodged by Mussadar Momin on 30.06.2019.

As per reply, the main accused in the crime is one Sameera Fatema. She has performed total six marriages and obtained huge amounts at the time of dissolution of her marriages. It is also stated in the reply that said Sameera is having past criminal record. As per reply, the applicant is working with State Reserve Police Force (SRPF) and is neighbour of main accused Sameera Fatema. According to

the reply, he threatened to the complainant and therefore custodial presence of the applicant is claimed.

Looking to the reply and looking to the fact that the applicant is working in constabulary, there is no reason that he will not be available to the course of justice. The applicant was protected by this Court on 30.09.2019 on a condition that he shall attend police station from 02.10.2019 to 05.10.2019 and 06.10.2019 and 08.10.2019. Accordingly, he has attended the police Station. This submission of learned counsel for the applicant is not disputed by the learned Additional Public Prosecutor, on the instructions from the investigating officer who is personally present in the Court.

In that view of the matter, I pass following order :

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.861/2019 registered with Police Station, Jaripatka, Nagpur for an offence punishable under Sections 170, 323, 384, 406, 420, 465, 467, 468, 471, 506, 507 read with Section 34 of the Indian Penal Code, 1860 and Sections 66 and 67 of the Information Technology Act, 2000, applicant Naivnkumar s/o Tukaram Mahajan, be released on bail on he executing PR bond in the sum of Rs.25,000/- with one solvent surety in like amount.

The application is disposed of.

JUDGE