

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

CRIMINAL APPLICATION (ABA) NO.90 OF 2020

(Amol s/o Keshav Meshram ..vs.. State of Maharashtra, through PSO, Pathari)

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

Court's or Judge's orders

Shri Mahesh Rai, Counsel for the applicant,
Shri N.B. Jawade, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 28-02-2020

The applicant is apprehending arrest in Crime 238/2019 registered with Police Station Pathari for offences punishable under Sections 65(e) and 83 of the Maharashtra Prohibition Act.

2. Incriminating material is that the applicant was in touch with co-accused Ramesh Tadpalliwar and both spoke twice on the day of the raid.

3. The applicant was protected by order dated 12-2-2020 (Coram : V.M. Deshpande, J.), pursuant to which order the applicant has attended police station from 16-2-2020 to 23-2-2020 and was available for interrogation from 11-00 a.m. to 5-00 p.m. The learned Additional Public Prosecutor Shri N.B. Jawade would, however, submit that the applicant has not cooperated with the Investigating Officer inasmuch as evasive answers were given.

4. However, considering the nature of the accusations, and particularly the fact that there is no criminal antecedent, I am inclined to exercise discretion in favour of the applicant.

5. The interim order dated 12-2-2020 is made absolute with the modification that the applicant shall attend Police Station Pathari as and when directed by the Investigating Officer.

JUDGE

adgokar