

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

CRIMINAL APPLICATION (ABA) NO. 174 OF 2020

(Sau. Sumitra Umashankar Chandel vs. State of Maharashtra thr. P.S.O., P.S. Hinganghat,
District Wardha)

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

Court's or Judge's orders.

Shri S.V. Sirpurkar, Advocate for the applicant.
Ms. H.N. Jaipurkar, APP for the non-applicant / State.

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CORAM : PUSHPA V. GANEDIWALA, J.
JULY 24, 2020.

Heard Shri Sirpurkar, learned counsel for the applicant and Ms. Jaipurkar, learned Additional Public Prosecutor for the State through Video Conferencing.

The applicant apprehends her arrest in Crime No. 707/2019 for the offence punishable under Sections 498-A, 304-B, 201 read with Section 34 of the Indian Penal Code registered at Police Station Hinganghat, District Wardha.

Learned counsel for the applicant submits that there is a delay of 28 days in lodging the First Information Report.

The main accused – husband is on regular bail and the co-accused – brother and sister

in law of the deceased have been protected vide Order of this Court dated 20/12/2019 in Criminal Application (ABA) No. 789/2019.

Learned counsel further submits that, the application of the present applicant came to be withdrawn as at that time the Court was not inclined to protect her.

Now the learned Counsel for the applicant submits about change in circumstances i.e. filing of charge-sheet and other accused are released on bail.

Learned Additional Public Prosecutor strongly opposed the application and submits that the present applicant is shown as absconding in the charge-sheet and, therefore, she does not deserve pre-arrest bail.

Learned Counsel Shri Sirpurkar, on instructions, seeks to withdraw the present application and prayed for eight days breathing time to approach the trial Court for regular bail by surrendering.

Learned counsel is allowed to withdraw the present application with eight days protection to the applicant in order to get appropriate order from the trial Court. The learned APP to take note of it and inform the concerned police station accordingly.

The criminal application stands disposed of as withdrawn with liberty as above.

This order be communicated to the counsel appearing for the parties, either on the e-mail address or on Whats app or by such other mode, as is permissible in law.

JUDGE

D.S. Baldwa