

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

CRIMINAL BAIL APPLICATION (ABA) 180 OF 2020

(Arun Haribhau Baraiya..vs.. State, thr PSO, PS, Dhantoli, Nagpur)

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

Court's or Judge's orders.

Mr. R.K. Tiwari, counsel for applicant.
Mr. M.K. Pathan, APP for non-applicant.

CORAM: ROHIT B. DEO, J.
DATE:21.12.2020.

Heard.

2. The applicant is apprehending arrest in Crime 60/2019, registered with Police Station, Dhantoli, Nagpur, for offence punishable under sections 167,192,193,194, 197, 218 and 120-B of Indian Penal Code.

3. The offences are registered pursuant to direction (vi) issued by the Division Bench, which reads thus:

“(vi) State of Maharashtra is directed to file charge-sheet against the culprit and also against PSI Barraiyya and other erring police personnel who had falsely implicated accused/respondents and also falsely deposed against them.”

4. It is stated at the bar that the Special Leave Petition filed before the Apex Court challenging the said direction, is pending.

5. Due to the pendency of the Special Leave Petition, while I protected the applicant, the hearing was adjourned from time to time to await the decision in Special Leave Petition. However, the learned APP Mr. M.K. Pathan has handed over the report/communication dated 9.12.2020 submitted by the Investigating Officer to him stating that custodial interrogation of the applicant is not required since investigation is complete and the chargesheet is already filed.

6. In this view of the matter, it would not be necessary to await the decision of the Apex Court.

7. The interim protection granted vide order dated 13.3.2020 is made absolute.

Judge