

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

CRIMINAL APPLICATION (ABA) NO.270 OF 2020

(Shailendra s/o Surendra Khobragade Vs. State of Maharashtra thr. PSO PS Channi,
Tq. Patur, Dist. Akola)

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

Court's or Judge's orders.

Mr. A.J. Mirza, Advocate for Applicant.
Mr. M.K. Pathan, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 26th NOVEMBER, 2020.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Heard.

3. The applicant, who is apprehending arrest in Crime 340/2020 registered with Police Station Channi, Tq. Patur, Dist. Akola for offences punishable under section 409, 420, 468, 471 read with section 34 of the Indian Penal Code is seeking pre-arrest protection, *inter alia* on the ground of parity.

4. The learned counsel for the applicant has twin submissions to canvass. The first submission is that the report is belatedly lodged qua transactions which occurred

three years prior to the report. The entire evidence is documentary and the investigation is nearly complete. It is further submitted that the applicant has no role to play in the alleged irregularities. The other submission is that the accused 1 Kailash Agrawal, who was the Manager of the branch is granted pre-arrest protection subject to deposit the entire amount allegedly misappropriated. The amount is deposited. It is submitted that the applicant, who was then working as Cashier, is similarly circumstanced.

5. Nothing is brought to the notice of this Court to suggest that the applicant is not similarly circumstanced to the accused who is protected.

6. In this view of the matter, the interim protection granted vide order dated 21.07.2020 is made absolute with the condition till the charge-sheet is submitted qua the applicant, he shall attend the concerned police station as and when required by the Investigating Officer.

JUDGE