

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

CRIMINAL APPLICATION (ABA) 338 OF 2020

(Gulabrao Haribhau Kshirsagar..vs.. State, thr PSO, PS Khamgaon City, Dist. Buldhana)

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

Court's or Judge's orders.

Shri S. J. Mohta, counsel for applicant.
Shri C.A. Lokhande, APP for non-applicant.

CORAM: ROHIT B. DEO, J.
DATE:28.09.2020.

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

2. On the last date of hearing, a statement was made on behalf of the learned counsel for the applicant Shri S.J. Mohta that similarly placed co-accused Samadhan Shankar Wagh is granted pre-arrest protection by this Court (Coram : V.M. Deshpande, J.). Copy of the order is placed on record. The learned APP Shri C.A. Lokhande fairly does not dispute that like the co-accused Samadhan Wagh, the name of the applicant is not mentioned in the report nor is the applicant chargesheeted, as yet. However, the learned APP submits that the investigation is ongoing and a supplementary charge sheet is likely to be filed.

3. Considering the fact that the applicant is aged 75 years, that the custodial interrogation may not be necessary since the allegations are based on documentary material

which are in public domain, this application can be allowed, particularly since similarly situated co-accused is protected.

4. The application is allowed.

5. In the event of arrest in connection with Crime No. 11/2020, registered with Police Station, Khamgaon City, Buldhana for an offence punishable under Sections 409, 420, 468, 471 read with section 34 of the Indian Penal Code, the applicant be released on bail on furnishing P.R. Bond of ₹ 25,000/- with a surety of like amount.

6. The applicant is directed to attend Khamgaon City Police Station on every Monday and Wednesday from 5.10.2020 for next two months and shall be with the Investigating Officer from 3.00 p.m. to 5.00 p.m. The applicant shall also maintain a diary to that effect.

7. If the applicant violates this condition and does not attend the Police Station for any two dates, it shall be open for the Investigating Officer to file an application for cancellation of the bail granted today in favour of the applicant.

Judge