

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

CRIMINAL APPLICATION (ABA) 379 OF 2020

(Deshraj s/o Shivkumar Suryawanshi ..vs.. State of Maharashtra, through PSO, PS Ballarpur)

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

Court's or Judge's orders

Ms. A. Shrame, Counsel h/f. Mr. A.S. Ambatkar, Counsel for the
applicant,
Mrs. Kalyani Deshpande, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 22-12-2020

Mr. A.S. Ambatkar, learned Counsel, who appears on behalf of the applicant, is reportedly unwell having tested Covid Positive.

2. While a request is made on his behalf for adjournment, since the learned Additional Public Prosecutor Mrs. Kalyani Deshpande has fairly stated that the investigation is complete and even qua the applicant the charge-sheet is filed, I have considered the application on merits.

3. The injured has not named the applicant in the first information report. His name apparently surfaced during the course of the investigation. The assault is with *lathi*.

4. During the investigation, the injured has named him. However, it is fairly pointed out by the learned

Additional Public Prosecutor Mrs. Kalyani Deshpande that four eyewitnesses do not name the applicant as a assailant.

5. In any event, since custodial interrogation is not necessary, investigation is complete and the charge-sheet is filed, the interim protection granted vide order dated 30-4-2020 is made absolute.

JUDGE

adgokar