

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

CRIMINAL APPLICATION (ABA) NO. 431 OF 2020

(Subhash Narayan Kawale ..vs.. State of Maharashtra, through PSO, PS Gadchiroli)

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

Court's or Judge's orders

Mr. P.N. Shende, Counsel for the applicant,
Mrs. Kalyani Deshpande, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 08-12-2020

Heard.

2. The applicant is apprehending arrest in Crime 278/2019 registered with Gadchiroli Police Station for offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code.

3. Vide order dated 31-7-2020 (Coram : Vinay Joshi, J.) the applicant was protected subject to certain conditions, which have been complied with.

4. The gist of the allegation is that co-accused Nilesh Thakre (since dead) and the applicant induced the complainant to part with Rs.6,00,000/- (Rupees Six Lac) promising employment for his son.

5. I have perused the case diary minutely. While it is not necessary to make any observation decisively, it is noted that inconsistent versions and a discernible

attempt to exaggerate or embellishment or over implicate is made in the statement, particularly the statement recorded in January 2020. Be it noted that the first information report is lodged on 28-5-2019.

6. In any event, the main role is attributed to co-accused Nilesh Thakre.

7. Considering that a cheque is seized from the complainant, purportedly issued by co-accused Nilesh Thakre, of the value of Rs.10,00,000/- (Rupees Ten Lac), that there could be some other angle to the version of the complainant, cannot be ruled out.

8. The applicant has made out a case for making the interim protection is absolute.

9. The application is allowed.

10. The interim protection granted vide order dated 31.7.2020 is made absolute with the only modification that the applicant shall attend the concerned police station, till the charge-sheet is filed, as and when required by the Investigating Officer.

JUDGE