

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

LD-VC- CRIMINAL APPLICATION (ABA) NO. 146 OF 2020

(Lalita w/o Dharampal Tayade & Anr. vs. The State of Maharashtra thr. PSO, Balapur, Tq.
Balapur, District - Akola)

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

Court's or Judge's orders.

Shri V.R. Deshpande, Advocate for the applicant.
Mrs. A.R. Kulkarni, APP for the non-applicant.

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CORAM : PUSHPA V. GANEDIWALA, J.
JULY 21, 2020.

Heard Shri Deshpande and Mrs. Kulkarni,
learned APP for the non-applicant, through video
conferencing.

The applicants are protected by this Court vide
ad interim bail order dated 22.05.2020.

A perusal of the affidavit in reply filed on
behalf of the State does not reveal a single ground for
the custodial interrogation of applicant No. 2, who is
the husband of applicant No. 1 and who is
admittedly, not the government servant, so as to
attract the offence punishable under the Prevention
of Corruption Act.

With regard to applicant No. 1, a perusal of the
First Information Report would reveal that applicant
No. 1 had already sent the muster roll for the purpose
of calculation of benefits to the complainant towards

planting of trees as per Government scheme. It appears strange that the demand was made after the work was done.

The affidavit in reply on behalf of the State does not reveal any further substantive ground for the custodial interrogation of the applicant No. 1, who being a lady, is being prosecuted for demand of Rs.500/- for sending the muster roll for the purpose of calculation of benefits to the informant.

For the reasons aforesaid, ad interim protection granted to the applicants earlier is hereby confirmed on the same terms and conditions.

Criminal Application is allowed and disposed of accordingly.

This order be communicated to the counsel appearing for the parties, either on the email address or on Whatsapp or by such other mode, as is permissible in law.

JUDGE

*GS.