

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

CRIMINAL APPLICATION (ABA) NO.573 OF 2020

(Nilesh s/o Ashok Pawar Vs. State of Maharashtra thr. PSO PS Jaulka, Tah. Malegaon,
Dist. Washim)

CRIMINAL APPLICATION (ABA) NO.574 OF 2020

(Ashok s/o Bhimrao Pawar Vs. State of Maharashtra thr. PSO PS Jaulka, Tah.
Malegaon, Dist. Washim)

CRIMINAL APPLICATION (ABA) NO.578 OF 2020

(Vishnu s/o Ramdhan Rathod Vs. State of Maharashtra thr. PSO PS Jaulka, Tah.
Malegaon, Dist. Washim)

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

Court's or Judge's orders.

Mr. A.P. Tathod, Advocate for Applicant.
Mr. M.K. Pathan, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 23rd NOVEMBER, 2020.

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

2. The applicants are seeking pre-arrest protection in Crime 274/2020 registered with Police Station Jaulka, Tahsil Malegaon, District Washim for offence punishable under section 379 read with section 34 of the Indian Penal Code. The allegation is theft of soil allegedly excavated from the government tank.

3. The alleged incident occurred on 18.05.2020 and

the report is lodged on 08.07.2020. This Court, therefore, granted interim protection and directed the applicants to attend the police station. It is not in dispute that the applicants have attended the police station. It is not the case of the prosecution, that the applicants have not co-operated. The J.C.B. allegedly used in excavating the soil is already seized.

4. In this view of the matter, the interim protection granted vide order dated 30.09.2020 is made absolute with the only modification that the applicants shall attend the concerned police station as and when directed by the Investigating Officer.

JUDGE