

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

CRIMINAL APPLICATION (ABA) NO. 612 OF 2020

(Javed Saheb s/o Jabbar Saheb ..vs.. State of Maharashtra, through PSO, Balapur)

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

Court's or Judge's orders

Mr. Raheel Mirza, Counsel for the applicant,
Mr. V.A. Thakre, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 07-12-2020

Heard.

2. The applicant is apprehending arrest in Crime 731/2020 registered with Balapur Police Station, District Akola for offences punishable under Sections 304, 304-A of the Indian Penal Code and Section 138 of the Electricity Act.

3. The allegation is that while cultivating an agricultural field on contract, the applicant introduced electric current in the fencing in order to keep off animals.

4. Unfortunately, the deceased came in contact with the electrocuted fencing and died.

5. Pursuant to the conditions imposed while granting pre-arrest protection, the applicant has attended the police station and it is not the case of the prosecution

that his custodial interrogation is necessary. In any event, such is not the case made out in the affidavit-in-response.

6. I am satisfied that if the pre-arrest protection is made absolute, investigation is not likely to be adversely affected.

7. The pre-arrest protection granted vide order dated 16-10-2020 is made absolute with the only modification that the applicant shall attend the concerned police station, till the filing of the charge-sheet, as and when required by the Investigating Officer.

JUDGE

adgokar