

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

CRIMINAL APPLICATION (ABA) NO. 630 OF 2020

(Ganesh Pralhad Kalekar and others ..vs.. State of Maharashtra, through PSO, PS Murtizapur Rural)

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

Court's or Judge's orders

Mr. K.H. Anandani, Counsel for the applicants,
Mr. M.K. Pathan, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 11-12-2020

Heard.

2. The applicants are apprehending arrest in Crime 387/2020 registered with Murtizapur Rural Police Station for offence punishable under Section 379 of the Indian Penal Code.

3. The allegation is that the applicants stole *udid* crop worth Rs.35,000/- (Rupees Thirty Five Thousand).

4. Vide order dated 26-10-2020 the applicants were protected subject to they attending the police station on specified dates.

5. It is not in dispute that the applicants have attended the police station. According to the Investigating Officer, the applicants have not cooperated. But then, not receiving responses as expected from the accused, may not be *ipso facto* non cooperation.

6. Perusal of the material in the case diary reveals that the contention of the applicants that there is a civil dispute pending, is correct.

7. In this view of the matter, the interim protection granted vide order dated 26-10-2020 is made absolute only with the modification that the applicants shall attend the concerned police station, till the charge-sheet is filed, as and when directed by the Investigating Officer.

JUDGE

adgokar