

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

CRIMINAL APPLICATION (ABA) NO. 642 OF 2020

(Yogesh Ramesh Rao Jawade ..vs.. State of Maharashtra, through ACB, Akola)

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

Court's or Judge's orders

Mr. Ejaz Khan and Rohan Chandurkar, Counsel for the applicant,
Mr. A.M. Kadukar, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 26-11-2020

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

2. Heard.

3. The applicant, who was then working as District Women and Child Welfare Officer, Akola, is apprehending arrest in Crime 420/2020 registered with Anti-Corruption Bureau, Akola for offences punishable under Sections 7(c) and 12 of the Prevention of Corruption Act, 1988.

4. The report is lodged by the President of an Educational Institution alleging that co-accused rang him up and conveyed that the present applicant is expecting illegal gratification of Rs.2,50,000/- to recommend the release of grant.

5. In all fairness, the learned Additional Public Prosecutor does not dispute that the only material against the applicant is what is allegedly conveyed by the co-accused to the complainant.

6. On the other hand, Mr. Khan who appears on behalf of the applicant alongwith Mr. Rohan Chandurkar points out that the committee which inter alia included co-accused Mr. Aarvel had, on 17-7-2019 itself submitted an adverse report and there was, therefore, no occasion for anybody to make the alleged demand. While the report does not disclose the precise date of demand, what is alleged is that the demand was made sometime in July 2019.

7. In any event, other than the nature and quality and material which is pressed in service, custodial interrogation does not appear to be necessary. The applicant has complied with the conditions imposed while granting interim protection. It is not the case of the prosecution that the applicant has not cooperated. The applicant has attended the Anti Corruption Bureau and he has been interrogated.

8. In totality of the circumstances, the interim protection granted and the order dated 29-10-2020 can be made absolute and is made absolute with the only modification that till the charge-sheet is filed, the

applicant shall attend the Anti Corruption Bureau Office,
Akola as and when required by the Investigating Officer.

JUDGE

adgokar