

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

CRIMINAL APPLICATION (APPLN) 67 OF 2019

(Komal w/o. Ravikumar Gupta..vs.. State, thr PSO, PS Ambazari, Nagpur & anr)

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

Court's or Judge's orders.

Shri P.R. Agrawal, counsel for applicant.
Shri P.S. Tembhare, Addl. Public Prosecutor for non-applicant 1.

CORAM: ROHIT B. DEO, J.
DATE:18.02.2020.

Challenge is to the order dated 11.11.2019 rendered by the Additional Sessions Judge, Nagpur in Misc. Criminal Application 2546 of 2019, whereby the Additional Sessions Judge granted ad-interim anticipatory bail to non-applicant 2, herein.

2. The learned counsel for the non-applicant 2 states that the order impugned is an ad-interim order and that the application seeking anticipatory bail is not disposed of.

3. Since the order impugned is an ad-interim order of granting anticipatory bail, I am not inclined to consider the submissions of the applicant on merits. According to the applicant, she is the complainant and in view of the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, she is entitled to be heard before granting any relief to the accused.

4. The submission of Shri P.R. Agrawal, the learned counsel apart, in any event, before passing any final order, the complainant is required to be heard.

5. This petition is disposed of with a direction to the Additional Sessions Judge, Nagpur to finally decide the application preferred by non-applicant 1 under section 438 Cr.P.C. within two weeks after granting an opportunity of hearing to the applicant – complainant Smt. Komal Gupta.

Judge

Belkhede RS