

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

CRIMINAL APPLICATION (ABA) NO. 842 OF 2019

Pradeep s/o Madhukar Deshpande .Vs. State of Maharashtra, through PSO,
P.S. Amdapur, Dist. Buldhana.

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

Mr. Tejas Deshpande, Advocate for applicant.
Mr. M.K. Pathan, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : JANUARY 06, 2020

Heard Mr. Deshpande, learned counsel for the applicant and Mr. Pathan, learned Additional Public Prosecutor for non applicant-State. Also perused the reply filed on behalf of the prosecuting agency.

2. Applicant is apprehending his arrest in connection with Crime No.135/2019 registered with Police Station, Amdapur, Dist. Buldhana for an offence punishable under Sections 468, 471, 420 read with Section 34 of the Indian Penal Code.

3. In short, prosecution case is that one Vinayak Jagannath Tambat who is relative of first informant-Vivek Tambat shown himself as exclusive owner of a property and applied with the Forest Department for felling of the trees along with one Fakira Shaikh. It is the case of the prosecution that the applicant who was a retired Assistant

Plantation Officer and was having knowledge of all the procedure, his services were hired by Vivek Tambat and Fakira Shaikh. According to the prosecution thereafter the permission granted was subsequently revoked. It is the case of the prosecution that therefore no tree was cut.

4. During the course of the submission it is revealed to this Court by learned Additional Public Prosecutor that said Vivek Tambat and Fakira Shaikh are already granted anticipatory bail by the Court below.

5. In view of the aforesaid factual aspect, in my view, applicant can be protected on certain conditions. That leads me to pass the following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.135/2019 registered with Police Station, Amdapur, Dist. Buldhana for an offence punishable under Sections 468, 471, 420 read with Section 34 of the Indian Penal Code, applicant- Pradeep s/o Madhukar Desphande be released on he executing P.R. bond in the sum of ₹25,000/- with one solvent surety in the like amount.
- (iii) Applicant is directed to attend Police Station, Amdapur, Dist. Buldhana as and when he is called by the investigating officer. However, for that the investigating

officer shall give clear cut two days written communication to the applicant.

The application is disposed of.

JUDGE

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