

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

Criminal Application (ABA) No. 13 of 2021

(Lata w/o Rakesh Bajpayee ..vs.. The State of Maharashtra through P.S.O., Paratwada, Tq. Achalpur,
Dist. Amravati)

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

Court's or Judge's orders

Mr P. R. Agrawal, Advocates for the applicant
Mr. S. S. Doifode, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 25-01-2021

The applicant – woman is apprehending arrest in Crime 501/2020 registered with Paratwada Police Station for offences punishable under Sections 420, 465, 468 and 471 read with Section 34 of the Indian Penal Code.

2. The allegation against the applicant is that she is a beneficiary of illegal appointment as Peon with A.P.M.C., Achalpur. The appointment is termed as illegal since the application fee was allegedly paid after the last date for such payment.

3. The last date for receipt of the application was 30-7-2019. There is no dispute that the applicant submitted on-line application on 30-7-2019. The dispute is about the payment of fees.

4. Learned counsel Mr. Agrawal has invited my attention to the material which would suggest that the payment was as fact made, online receipt was generated,

however, the status of the payment was shown as pending. The statement is that after submission of the application, when it was revealed that the payment was not credited in the account of A.P.M.C., on 2-8-2019, the amount of Rs. 300/- was paid online.

5. Considering the material on record, the applicant has made out a case for making pre-arrest protection absolute. Pre-arrest protection granted vide order dated 12-1-2021 is made absolute only with modification that till filing of charge-sheet, the applicant shall attend the concerned police station as and when required by the Investigating Officer.

JUDGE

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