

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

CRIMINAL APPLICATION (ABA) NO.51 OF 2021

(Parikshit @ Parichhad s/o Pandurang Pawar Vs. State of Maharashtra thr. PSO PS
Arvi, Dist. Wardha)

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

Court's or Judge's orders.

Mr. Mahesh Rai, Advocate for Applicant.
Mr. S.S. Doifode, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 22nd FEBRUARY, 2021.

The applicant is apprehending arrest in Crime 848/2019 registered with Police Station Arvi, Tah. Arvi, District Wardha for offences punishable under Sections 420, 417, 501 of the Indian Penal Code and under Section 66E of the Information and Technology Act, 2000.

2. Vide order dated 05.02.2021 the applicant was granted interim protection subject to he attending the police station and co-operating with the Investigating Officer.

3. It is not the case of the prosecution that the applicant has not complied with the conditions of pre-arrest protection. The mobile phone of the applicant is duly deposited with the Investigating Officer.

4. I have perused the material in the case diary.

The material indicates, at least *prima facie*, that the applicant and the complainant were in a relationship. The possibility that the complaint is lodged since the relationship turned bitter, is a real possibility. In any event, the prosecution opposed the pre-arrest protection on the ground that his mobile phone and sim card is to be recovered. The learned counsel for the applicant Mr. Mahesh Rai states that the said is duly deposited with the Investigating Officer.

5. The applicant is serving in the Indian Army and is not a flight risk.

6. I am satisfied that investigation shall not be adversely affected if the pre-arrest protection is made absolute with the only modification that till the charge-sheet is filed, the applicant shall attend the concerned police station as and when required by the Investigating Officer.

JUDGE