

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

Criminal Application (ABA) No. 70 of 2021

(Sheikh Rashid Sheikh Nisar and ors. ..vs.. State of Maharashtra through P.S.O. of P.S. Sakharkherda,
Dist. Buldana)

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

Court's or Judge's orders

Mr. M. N. Ali, Advocate for the applicants
Mr. S. S. Doifode, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 01-03-2021

Heard.

2. The applicants are apprehending arrest in Crime 10/2021 registered with Police Station, Sakharkherda, District Buldhana for the offences punishable under Sections 143, 395, 452, 504 and 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act.

3. There are rival versions. On the basis of report lodged on behalf of the applicants herein, Crime 9/2021 is registered. Some accused are arrested and released on bail and some are protected by this Court.

4. Insofar as the applicants are concerned, the most serious allegation is that gold chain of 12 gms, worth Rs. 38,000/- was stolen. While granting interim protection, this Court directed the applicants to attend police station on 19th and 20th February, 2021 and further directed that the said period shall be treated as deemed custody for the purpose of Section 27 of the Indian

Evidence Act. While in deemed custody, the gold chain allegedly stolen is allegedly recovered at the instance of applicant 9 Sheikh Dildar Sheikh Sattar.

5. No case for further custodial interrogation is made out.

6. The interim protection granted vide order dated 15-2-2021 is made absolute with the only modification that till the charge-sheet is filed, the applicants shall attend the concerned police station as and when directed.

7. The application is disposed of.

JUDGE

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