

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

CRIMINAL APPLICATION (ABA) NO. 116 OF 2021

(Ramprasad s/o Ramchandra Chavhan ..vs.. State of Maharashtra, through PSO, PS Mangrulpir)

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

Court's or Judge's orders

Mr. S.S. Dhengale, Counsel for the applicant,
Mr. M.K. Pathan, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 06-04-2021

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The applicant is apprehending arrest in Crime 7/2019 registered with Mangrulpir Police Station, District Washim for offences punishable under Sections 420, 465, 468 and 471 of the Indian Penal Code.

3. The gist of the report dated 04-1-2019 is that the applicant produced a forged/fabricated order dated 12-8-2014 purportedly passed by the then Minister for Food and Civil Supplies, which purports to allow the application preferred and grants fair price shop authorisation in favour of the applicant.

4. I have perused the case diary. I have noticed two circumstances, which impel me to make the interim protection absolute. The first material or circumstance is

the statement of the then District Supply Officer, who vouches that there was indeed hearing before the Minister concerned on 12-8-2014 and the second circumstance is that there is no attempt made by the Investigating Officer to enquire from the Minister whether the signature appearing on the order is that of the Minister or is a forgery. In any event, the fair price authorisation is cancelled in 2018. The contentious order is produced in 2014 and there does not appear to be any attempt made by the investigating agency to locate muchless examine the proceedings of the hearing dated 12-8-2014, which according to the District Supply Officer was conducted.

5. The interim protection granted vide order dated 26-2-2021 is made absolute with the only modification that till the filing of the charge-sheet, the applicant shall attend the concerned police station, as and when required.

JUDGE

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Prafulla
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