

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

CRIMINAL APPLICATION (APPLN) NO.13 OF 2020

(Kistu s/o Narsimalu Adelwar Vs. State of Maharashtra thr. PSO PS Pandharkawda,
Dist. Yavatmal and another)

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

Court's or Judge's orders.

Mr. S.D. Borkute, Advocate for Applicant.
Mr. S.S. Doifode, APP for Respondent 1/State.
Mr. R.D. Bhuihar, Advocate for Respondent 2.

CORAM: ROHIT B. DEO, J.

DATE: 2nd FEBRUARY, 2021.

This application is taken out by the complainant in Crime 954/2019 seeking cancellation of pre-arrest protection granted by the learned Sessions Judge, Kelapur, District Yavatmal.

2. The crime is registered on the basis of report dated 26.11.2019 alleging that the daughter of the complainant Ms. 'R' was abducted. Offence punishable under Section 363 of the Indian Penal Code was registered. The accused was produced before the learned Magistrate who released him on bail.

3. During the course of investigation, the Investigating Officer found that Ms. 'R' was a minor and therefore, Sections 366-A, 376(2)(n), 417 and 506 of IPC and Section 4 of the Protection of Children from Sexual

Offences Act were added. The Investigating Officer moved an application before the Sessions Judge for cancellation of bail. The accused moved an application seeking pre-arrest protection concerning the additional offences registered, which was allowed vide order dated 13.01.2020 and the application preferred by the Investigating Officer seeking cancellation of bail was rejected.

4. The Investigating Officer has not challenged the orders. Be that as it may, it is not in dispute that the investigation is complete and the charge-sheet is filed. In this view of the matter, I do not see any propriety in cancelling the pre-arrest protection granted to the accused.

5. The application is dismissed.

JUDGE