

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

CRIMINAL APPLICATION (ABA) NO.124 OF 2021

Umesh s/o Subhash Matrekar Vs. State of Maharashtra, through PSO,
Police Station Pulgaon, District Wardha

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

Court's or Judge's orders.

Shri K.H. Anandani, Advocate for applicant.
Shri M.K. Pathan, APP for non-applicant/State.

CORAM : N. B. SURYAWANSHI, J.

DATE : 25th JUNE, 2021.

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

(2) The applicant apprehends his arrest in Crime No.49 of 2021 registered with Police Station, Pulgaon, District Wardha for the offence under Section 306 of the Indian Penal Code.

(3) The prosecution is that the deceased Chandrashekhar collected money from his customers to the tune of Rs.15,00,000/- and invested the same in the Share Market through applicant. The applicant gave him assurance of good commission on the said amount. The said amount was not refunded by the applicant hence Chandrashekhar committed suicide.

(4) Considering the nature of allegations in the F.I.R. and the investigation papers, *prima facie*, no case of

abetment is made out against the applicant.

(5) The applicant is protected vide order 01.03.2021 and it is not in dispute that the applicant has attended the Police Station and has cooperated in investigation.

(6) The offence is registered in the month of January and the investigation is almost complete. In that view, pre-trial custodial detention of the applicant is not necessary. Hence, the application is allowed by confirming the interim order dated 01.03.2021.

(7) Till filing of charge-sheet, the applicant shall attend the concerned Police Station as and when called by the Investigating Officer.

(8) The applicant shall not tamper the prosecution evidence.

(9) Needless to mention that the observations made hereinabove are *prima facie* and the Trial Court shall be not influenced by the same at the time of trial.

(N. B. SURYAWANSHI, J.)

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