

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

Criminal Application (ABA) No. 220 of 2021

(Abdul Fahim S/o Abdul Rahim ..vs.. State of Maharashtra through P.S.O., P.S. Rajapeth, Amravati,
Dist. Amravati)

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

Court's or Judge's orders

Mr. P. V. Navlani, Advocate for the applicant
Mr. N. S. Rao, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 19-04-2021

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 254/2021 registered with Police Station, Rajapeth, Amravati for the offences punishable under Sections 353, 504 and 506-B read with Section 34 of the Indian Penal Code.

3. According to the informant, who is a RTO Officer, when he detained the vehicle which was driven by the driver employed by the applicant, the applicant threatened and physically manhandled him.

4. The co-accused who was driving the vehicle is arrested and released on bail. The vehicle is seized. The applicant has attended the police station and a statement is made by Mr. Navlani that he was ready to surrender two wheeler which he allegedly used to arrive at the scene of occurrence, however, since the case diary was forwarded to the learned Additional Public Prosecutor, the Investigating Officer did not seize the motorcycle. Mr. Navlani states that the motorcycle which is required by the Investigating Officer shall be duly deposited within the next week. The statement is accepted.

5. Considering that the applicant has no antecedent and that the investigation is not likely to suffer if the pre-arrest protection is made absolute, this application is allowed.

6. The pre-arrest protection granted vide order dated 30-3-2021 is made absolute with the only modification that the applicant shall surrender the motorcycle and shall attend the concerned police station

as and when required, till filing of the charge-sheet.

7. The application is disposed of.

JUDGE

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