

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

CRIMINAL APPEAL NO.197/2021

Subhash s/o Dayaram Shriwas

..VS..

State of Mah., thr.Police Station Khallar, Taluka Daryapur, District Amravati
and anr

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

Court's or Judge's Order

.....
Shri P.S.Patil, Counsel for the Appellant.
Mrs.M.H.Deshmukh, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : DECEMBER 10, 2021

1. Heard learned counsel Shri P.S.Patil for the appellant and learned Additional Public Prosecutor Mrs.M.H.Deshmukh for the State.
2. This is second round for securing pre-arrest bail by filing a statutory appeal under Section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. On earlier occasion, this Court (Coram : N.B.Suryawanshi, J.) on 22.2.2021, on request made by learned counsel for the appellant, allowed him to withdraw the appeal in view of filing of chargesheet before Trial Court. By the said order, an opportunity was given to the appellant to file afresh an application before Trial Court and *interim* protection, which was in operation of the appellant, was

continued for three weeks.

4. It appears that, thereafter, though the appellant filed an application for pre-arrest bail, the said bail application, vide Bail Application No.102/2021, was disposed of by learned Additional Sessions Judge, Achalpur on 3.4.2021 because the appellant himself has not pressed the same.

5. Now, the appellant is coming before the Court stating that he has not instructed his Counsel for withdrawal of the appeal and, therefore, he be permitted to withdraw the same.

6. I am afraid that such submissions can be entertained.

7. Learned Judge below was right in disposing of the application because it was not pressed.

8. Without there being any cogent material on record, I am not accepting the submissions in the nature of of allegations against an officer.

9. In this view of the matter, the criminal appeal is dismissed and disposed of.

10. Needless to mention that *interim* order dated 6.5.2021 stands vacated.

JUDGE

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