

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

CRIMINAL APPLICATION (ABA) NO. 361/2021

Piyush S/o Dilip Umredkar V/S State of Maharashtra

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

Court's or Judge's Orders

Shri O. K. Masurke, Advocate for appellant.
Shri A. Kadukar, APP for respondent No. 1/State.

CORAM : VINAY JOSHI, J.
DATE : 14.07. 2021.

Hearing was conducted through Video
Conferencing.

2. In anticipation of arrest in Crime No. 274/2021 registered at Police Station Pachpaoli, Dist. Nagpur for the offences punishable under Sections 399, 402 of the Indian Penal Code, Sections 4, 25 of the Arms Act and Section 135 of the Maharashtra Police Act, the applicant seeks pre-arrest protection.

3. Having regard to the factual aspect, this Court has granted interim protection to the applicant vide order dated 24.06.2021 with a rider to give attendance to the concerned Police Station on every alternate day during specified dates. No grievance is put by the prosecution about observing the conditions.

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4. Perusal of First Information Report indicates that, at the relevant time the Police have apprehended four persons with arms. It is the prosecution case that the apprehended persons have assembled on the spot by making preparation to commit dacoity. It is learnt that the applicant was also their associate. Neither the applicant was apprehended on the spot nor anything was seized from him. There are no criminal antecedents against the applicant about the similar nature of crime. Having regard to this fact, the applicant has made out case for grant of pre-arrest protection. In view of that following order:-

(I) Application stands allowed.

(II) Ad-interim order dated 24.06.2021 is hereby made absolute with modification of the condition of attendance that the applicant – Piyush S/o Dilip Umredkar should attend concerned Police Station on every Sunday between 10.00 a.m. to 02.00 p.m. till filing of charge-sheet.

JUDGE

Gohane.