

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

CRIMINAL APPLICATION (ABA) NO. 340 OF 2020

Nahush S/o Ghanshyam Tijare

...Versus...

State of Maharashtra through PSO, P.S. Armori, Distt. Gadchiroli

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

Court's or Judge's orders

Shri Rohit Joshi, Advocate for the applicant
Shri M.K. Pathan, APP for non-applicant/State

CORAM : N.B.SURYAWANSHI, J.

DATE : 23/06/2021

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. 0007/2020, registered with Armori Police Station, District Gadchiroli for the offence punishable under Sections 406, 465, 468, 471, 420 and 120-B of the Indian Penal Code. The F.I.R. was registered against only one accused person and during the course of investigation, two accused persons were arrested and they are released on bail.

3. It is the prosecution case that the applicant and others were Directors of Company by name Progressive Farmers of Gondwana Producer Company Limited. That company had procured frieswal breed of cows from Military

Farm, Pune. The said cows were to be allotted to the local farmers, who would sell milk to the dairy plant to be set up by the company, however, the company did not distribute cows to the beneficiary farmers, whose names were included in the proposal and handed over cows to other farmers.

4. Heard the learned Advocate for the applicant and the learned Additional Public Prosecutor for the respondent/State. Perused the case diary made available by the learned Additional Public Prosecutor.

5. It appears from the record that, in fact, the cows were distributed to the farmers, may be some of them were outside the list prepared at the relevant time. The fact remains that the cows were distributed to the farmers.

6. The applicant was given interim protection vide order dated 09/09/2020. The applicant has attended the Police Station and has cooperated in the investigation in pursuance of the order dated 15/06/2021. The other two accused including the father of the applicant were arrested and have been released on bail. The investigation papers indicate that the investigation is almost over and the charge-sheet is likely to be filed soon.

7. In that view of the matter, the application deserves to be allowed and the same is hereby allowed in terms of interim order dated 09/09/2020 with the condition

that the applicant shall attend the concerned Police Station once a week on every Sunday between 10.00 a.m. to 12.00 noon, till the filing of the charge-sheet.

8. The applicant shall not tamper with the prosecution evidence.

9. The applicant shall not indulge in any criminal activity.

10. The application is disposed of.

JUDGE