

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

CRIMINAL APPLICATION (APL) NO. 545 OF 2020

Atul s/o Madhukarrao Ramteke,
Aged about - 27, Occu - Service,
R/o At - Pusada, Tah - Amravati,
Dist - Amravati.

... **APPLICANT**

V E R S U S

1. The State of Maharashtra,
Through Police Station Officer,
Police Station, Walgaon,
Dist - Amravati.

2. Ashok s/o Bhagwantrao Khandekar,
Age - 52 Yrs., Occu - Service,
Police Station, Walgaon,
Tah - Dist - Amravati.

... **NON-APPLICANTS**

Shri S. N. Nandeshwar, Advocate for applicant.

Shri N.S.Rao, Additional Public Prosecutor for Non-applicant No.1-
State.

CORAM: Z.A. HAQ & AMIT B. BORKAR, JJ.
DATED : 02/02/2021.

ORAL JUDGMENT : (PER : Z.A. HAQ, J.)

1. Heard.

2. **Rule.** Rule made returnable forthwith.

3. Crime No.0582/2020 is registered against the
applicant for the offences punishable under Sections 143, 186,

188, 269, 271 and 291 of the Indian Penal Code, Sections 2, 3 and 4 of the Epidemic Diseases Act, 1897, Section 51(b) of the Disaster Management Act, 2005 and Sections 110, 112, 117 and 135 of the Maharashtra Police Act, 1951, the accusations being that on 18/08/2020 at around 5.00 p.m. i.e. on the festival of 'Pola', some villagers had brought 7 - 8 bulls and started playing band and though the orders issued by the District Collector, Amravati relating to outbreak of Pandemic were pointed out and request was made to stop the celebration, the villagers did not pay any attention and continued with the procession. On these accusations, the First Information Report came to be registered.

4. In response to the notice issued by this Court, the non-applicant No.2 has filed reply. After going through the First Information Report and the reply filed by the non-applicant No.2, we are of the view that the ingredients necessary to constitute the offences alleged against the applicant are lacking.

5. Hence, we pass the following order :-

Crime No.0582/2020 registered against the applicant with the non-applicant No.1 - Police Station is quashed.

6. Rule is made accordingly.

JUDGE

JUDGE

Choulwar