

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

CRIMINAL APPLICATION (ABA) NO.480 OF 2019

Dr. Amit Vijay Ghatge

...Versus...

State of Maharashtra Through Police Station Officer, Police Station Ambazari,
Nagpur, Tq. & Distt. Nagpur

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

Court's or Judge's orders

Shri S.J. Kadu, Advocate for applicant
Shri. I.J. Damle, A.P.P. for non-applicant/State
Shri Zia Qazi, Advocate for Intervenor

CORAM : VINAY JOSHI, J.

DATE : 07/09/2021

Heard.

2. In anticipation of arrest in Crime No. 0134/2019, registered with Police Station Ambazari, Nagpur for the offences punishable under Sections 427, 454, 457 and 380 of the Indian Penal Code, the applicant prayed for pre-arrest protection.

3. This is a matrimonial dispute in between the couple. Both are medical practitioners. The informant lady lodged report that on the date of occurrence, the applicant (husband) had damaged her Clinic and stolen certain articles and equipments. The report indicates that both have filed police reports against each other in the past.

4. Perusal of reply-affidavit indicates that during investigation, the police have seized the material worth Rs.3,70,000/- including electronic fixtures from the Clinic.

During pendency of this application, the applicant has returned RVG Censor to the Police for handing it back to the informant. The applicant is already on interim protection for the period of more than last two years. No convincing reason is made out to curtail his liberty at this stage. This Court expects that the couple should not bother each other during pendency of multiple litigations, which are already subjudice. In view of that following order :

ORDER

- (i) Application stands allowed.
- (ii) Ad-interim order dated 16/07/2019 is hereby made absolute on same terms and conditions.
- (iii) In addition to that, applicant shall not enter into jurisdiction of Pratap Nagar Police Station, till conclusion of trial.
- (iv) The applicant shall attend the concerned Police Station as and when required.
- (v) The State is at liberty to move this Court for cancellation in case of breach of either condition.

JUDGE