

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

CRIMINAL APPLICATION (ABA) NO. 805 OF 2020

(Mukesh Nanakram Ratnani ..vs.. State of Maharashtra, through PSO, PS Washim)

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

Court's or Judge's orders

Mr. M.N. Ali, Counsel for the applicant,
Mrs. Kalyani Deshpande, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 06-01-2021

The applicant is apprehending arrest in Crime 777/2020 registered with Washim Police Station for offences punishable under Sections 188, 272, 273 and 328 of the Indian Penal Code and Section 59 of the Food Standards and Safety Act.

2. Perusal of the material in the case diary would show that the Local Crime Branch, Washim received secret information that one Deepak Dayaldas Ratnani has stored prohibited articles/material i.e. tobacco flavoured crush betel leaves etc. at his residence. The residence of Deepak Dayaldas Ratnani was raided and the applicant was found at the said residence.

3. Deepak Dayaldas Ratnani is not arraigned as an accused, at least till date. In so far as the applicant is concerned, there is no material other than his presence in the residence of Deepak Dayaldas Ratnani when the Local Crime Branch raided the residence. The

contraband is seized.

4. Considering that the owner of the residence Deepak Dayaldas Ratnani is not even named as an accused although even according to the secret information received, it is he who allegedly stored the contraband, custodial interrogation of the applicant may not be necessary.

5. The application is allowed.

6. In the event of arrest in 777/2020 registered with Washim Police Station for offences punishable under Sections 188, 272, 273 and 328 of the Indian Penal Code and Section 59 of the Food Standards and Safety Act, the applicant shall be released on furnishing personal bond of Rs.50,000/- with a solvent surety of like amount, which surety may be furnished within four weeks from the arrest, if any.

7. The applicant shall attend the Local Crime Branch, Washim on 13th, 14th and 15th January, 2021 from 11-00 a.m. to 3-00 p.m. and shall cooperate with the Investigating Officer.

8. The applicant shall not make any attempt to influence the witnesses.

9. The applicant shall not leave the country without the permission of the trial Court.

adgokar

JUDGE