

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

CRIMINAL APPLICATION (ABA) No.726 OF 2021

(Meera w/o Devidas Motghare and 4 others Vs. State of Maharashtra)

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

Court's or Judge's orders

Mr. P. K. Bezalwar, Advocate for the applicant.
Mr. A. M. Deshpande, APP for the non-applicant.

CORAM : VINAY JOSHI, J.

DATED : 28-10-2021

1. Heard.

2. The applicants are seeking pre-arrest bail in Crime No.482/2021 registered with Police Station Sitabuldi, Nagpur for offences punishable under Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code.

3. The applicants have applied to the Court of Sessions for similar relief vide Criminal Misc. Appln. No.3344/2021, which is still pending. The applicants have applied for grant of interim protection in Sessions Court, however, vide order dated 26th October, 2021, the Trial Court declined to grant interim protection by rejecting the application (Exhibit 3) filed in CMA No.3344/2021. At this stage, the applicants have come up to this Court for grant of pre-arrest protection.

4. Already the Sessions Court is seized with matter and Criminal Application (ABA) is pending for consideration. It is informed that the Trial Court has fixed the matter for hearing on 29.10.2021 after issuing notice. Already the Trial Court by exercising its judicial discretion has declined to grant interim protection. Therefore, there is no substance in granting protection particularly when the matter is pending before the Sessions Court.

5. In view of that, the application stands disposed of. The Trial Court is requested to decide pending Criminal Application (ABA) expeditiously.

JUDGE

ambulkar.