

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

CRIMINAL APPLICATION [ABA] NO. 147/2021.

Rajendra Ramkrishnarao Bhotmange.

-VERSUS-

State of Maharashtra, through P.S. Nandanwan, Nagpur.

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

Court's or Judge's Orders

Shri J.M. Gandhi, Advocate for the Applicant.
Shri M. Khan, A.P.P. for the Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : JANUARY 03, 2022.

Heard.

2. This is an application for grant of pre-arrest protection in Crime No.17/2021 registered with the non-applicant – Nandanwan Police Station, Nagpur for the offence punishable under Sections 120-B, 406, 409, 419, 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code.

3. It is applicant's case that the entire transaction took place between his late father Ramkrushna, who was President of a Cooperative

2

Society. Merely, the applicant being son of the President, he received part consideration of Rs.35,000/- in the year 2002 and receipt to that effect has also been issued. The applicant states that he is no way concern with the series of transaction, which are particularly of civil nature.

4. It is the informant's case that in the year 2002, he has approached father of applicant Ramkrishna, President of the Housing Society for purchase of Plot No.143. At that time on executing agreement in the year 2002, he paid total amount of Rs.1,01,250/- out of which Rs.35,000/- has been received by the applicant, appears to be in the capacity of son of President, for which he has issued receipt. Later on it was revealed that the said plot was sold in the year 1990 to one Shankar Thavkar. The report contains allegation that late father of the applicant Ramkrishna has impersonated the owner Shankar Thavkar and again documents were executed. The allegations principally appears against the late

3

father of applicant Ramkrishna and Ramesh Ingle.

5. Perusal of the reply does not specify any active role of the applicant in the old transactions which took place in the year 2002. Already interim protection is granted prior to 10 months. There are no allegations of misuse of the liberty. Considering the nature of accusation and limited role assigned to the applicant, his liberty can be protected by directing him to cooperate with the investigation. In view of this, following order is passed.

- (i) Criminal Application is allowed and disposed of.
- (ii) The ad-interim order dated 08.03.2021, passed by this Court is made absolute on same terms and conditions.
- (iii) Hence forth the applicant/accused shall attend the concerned police station as and when called.
- (iv) The applicant/accused shall not tamper with the prosecution evidence in any manner.

JUDGE

Rgd.