

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

CRIMINAL APPLICATION (ABA) NO.709 OF 2021

(Harshal Ramesh Khawas...VS.. State of Maharashtra thr. PSO PS Imamwada, District Nagpur)

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

Court's or Judge's orders

Shri A.V.Band, Advocate for Applicant.
Shri S.D.Sirpurkar, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : MARCH 14, 2022.

1. This Court, vide order dated 26/10/2021 granted ad-interim protection to the applicant in Crime No.433/2021 for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code.

2. In this case, the FIR was lodged on 10/09/2021 for the offences occurred during the period 01/04/2018 to 22/06/2019. The applicant was working with the accused No.2 who has been granted anticipatory bail by this Court vide order dated 14/03/2022. In that view of the matter, the applicant is entitled for parity. Moreover, prima facie there is no probable explanation offered by the complainant about the delay of more than two years in lodging the report.

3. The applicant has regularly attended the Police Station as directed by this Court vide order dated

26/10/2021 and there is no complaint about misuse of liberty by the applicant and as prima facie no incriminating material against the applicant is available in the case diary. I am of the opinion that order dated 26/10/2021 needs to be confirmed. Accordingly, I pass the following order :

- i] The criminal application is allowed.
- ii] The order dated 26/10/2021 is confirmed with a modification that the applicant shall attend the concerned police station, whenever his presence is required.
- iii] The Criminal Application stands **disposed of** accordingly.

JUDGE

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