

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

CRIMINAL APPLICATION (ABA) NO.784 OF 2021

(Vinod Damodar Raut...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 Shaik S. Ullah, 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 22/11/2021 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. It is revealed from the documents filed along with this application that the applicant left the employment of the complainant long back. There is no explanation offered by the complainant about the delay of more than two years in lodging the report, except the justification that on subsequent revelation of the alleged misappropriation, the said justification, prima facie is not probable, looking to the status of the complainant in life.

3. Moreover, the applicant has regularly attended the Police Station as directed by this Court vide order dated 22/11/2021 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 22/11/2021 needs to be confirmed. Accordingly, I pass the following order :

- i] The criminal application is allowed.
- ii] The order dated 22/11/2021 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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