IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.379 OF 2021

Sachin Shivram Otavanekar .. Appellant

Versus

The State of Maharashtra & Anr. .. Respondents

...

Mr.A.S. Khandeparkar, Sr. Advocate with Mr.Rohit P. Mahadik, Mr.Rushikesh G. Bhagat, Mr.Vaibhav Kulkarni, Mr.Farhan Shaikh and Mr.Shreyas Vaghe i/b M/s. Khandeparkar & Associates for the Appellant.

Ms.P.N.Dabholkar, A.P.P. for the State.

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CORAM: BHARATI DANGRE, J.
DATED : 17th MARCH, 2023

P.C:-

1. On 29/11/2021, the Appellant was admitted to protection from arrest, by recording a *prima facie* case in his favour, on evaluating the F.I.R. It was specifically recorded that the allegations do not constitute the offence under the Act of 1989 and *prima facie,* the possibility of the Appellant's false implication in the wake of the dispute pending before the Consumer Forum, cannot be ruled out.

2. The interim protection continued till date and, today, the learned A.P.P., on instructions of the Investigating Officer, make a statement that the investigation is complete and the custodial interrogation of the Appellant is not warranted.

In such circumstances, order dated 29/11/2021 is made absolute.

(SMT. BHARATI DANGRE, J.)

M.M.Salgaonkar