

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

CRIMINAL APPLICATION (ABA) NO. 254/2023
Bhagwan s/o Ananda Bhendkar .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. R. S. Kurekare, Advocate for applicant.
Mr. I. Damle, A.P.P. for non applicant-State.

CORAM : ANIL L. PANSARE, J.
DATE : APRIL 20, 2023.

The applicant is apprehending arrest in Crime No.141/2023, registered with Police Station, Mangrulpir, District Washim for the offences punishable under Section 135 of the Electricity Act, 2003.

2. Learned counsel for applicant vehemently argued that though theft of electricity is alleged to have been for an amount of Rs.34,12,012/-, after compounding the amount it has been reduced to Rs.7,50,000/-.

3. This submission has been rightly countered by learned A.P.P. by pointing out the contents of the FIR, wherein it is stated that the applicant has neither paid the amount of theft nor has he paid the amount of compounding. Thus, the outstanding amount against the applicant, by simple arithmetic calculation, would be around Rs.40,00,000/-. Learned counsel for the applicant ought to have disclosed the correct facts. Having not done so, I am not inclined to grant interim relief.

4. Issue notice to the non applicant, returnable on 27.04.2023.

5. Learned A.P.P. waives service of notice for the non applicant-State.

6. Further orders will be passed subject to payment of the entire amount by the applicant.

(Anil L. Pansare, J.)

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Later on:

Mr. Kurekar, learned counsel for applicant, on instructions seeks permission to withdraw the application.

Permission is granted.

The application is disposed of as withdrawn.

(Anil L. Pansare, J.)

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