



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

CRIMINAL APPLICATION (ABA) NO.384 OF 2023
Ganesh s/o Suresh Satpute 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.

Shri S.S. Taram, Advocate for applicant.
Shri M.J. Khan, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.
DATE : SEPTEMBER 15, 2023.

Learned APP tenders the reply across the bar, which is taken on record.

2. The applicant apprehends his arrest in connection with Crime No.135/2023 registered with Police Station, Chamorshi, District Gadchiroli for the offences punishable under Sections 328, 273, 188 of the Indian Penal Code and Sections 59, 26(2)(iv), 30(2)(a), 3(1)(zz)(iii), 2, 3 and 4 of the Food Safety and Standards Act, 2006.

3. Heard learned counsel for the applicant as well as learned APP for the non-applicant/State. It appears from the reply as well as from the case diary that on receipt of the information, the police raided the shop of the applicant and seized the prohibited tobacco worth Rs.5,780/-. The said contraband article was handed over to the Food Safety Officer and on his complaint the aforesaid offence came to be registered against the present applicant. It appears that

the contraband article has already been seized from the applicant and panchanama has been drawn. The applicant was protected by interim order dated 23.06.2023. The applicant has appeared before the investigating officer as directed by this Court. The case diary shows that most of the part of the investigation is already over. Nothing further is required to be seized from the applicant. There is no likelihood that the applicant would flee from justice.

4. Considering the nature of allegation and stage of investigation, a case is made out for confirmation of ad interim protection. Hence, the order dated 23.06.2023 is hereby confirmed. Accordingly, the application is disposed of.

JUDGE

Wagh