



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

CRIMINAL APPLICATION (ABA) NO.475 OF 2023

Javed Nijam Chavhan 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. Sheikh , Advocate for applicant.
Shri N.R. Rode, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.
DATE : SEPTEMBER 20, 2023.

The applicant is apprehending his arrest in connection with Crime No.285/2023 registered with Police Station, Arni, District Yavatmal for the offences punishable under Sections 188, 269, 270, 273, 328 of the Indian Penal Code and under Section 26(2)(i), 27(3) (e), 302 (2)(a) and 59 of the Food and Safety Standards Act.

2. Heard learned counsel for the applicant as well as learned APP for non-applicant/State. Gone through the case diary.

3. It appears that on receipt of secrete information the police have accosted the present applicant and seized the contraband scented tobacco worth of Rs.2,760/- which the applicant was carrying on bicycle. The seized contraband articles were 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

articles have already been seized from the applicant. The applicant was not immediately arrested by the police. On 24.07.2023, the applicant was protected the applicant by ad interim order and the applicant was directed to attend the police station as and when called by the investigating officer but the police have not called the applicant till date, considering which the custodial interrogation of the applicant may not be required. Perusal of case diary would show that most part of the investigation is over.

4. In view of above and considering the nature of allegations, a case is made out for confirmation of ad interim protection. Hence, the application is allowed. The interim order dated 24.07.2023 is hereby confirmed.

The application stands disposed of.

JUDGE

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