



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

CRIMINAL APPLICATION (ABA) NO. 670 OF 2024

Rameshwar s/o Ramesh Mule Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. N.B. Kalwaghe, counsel for the applicant.

Mr. S.V. Narale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 16/10/2024.

1. By this application, applicant is seeking pre-arrest bail, in connection with Crime No. 516/2023 registered with Police Station Deulgaon Raja, Tah. Deulgaon Raja, District Buldhana for the offence punishable under Sections 143, 332, 353, 427 506 read with Section 149 of the Indian Penal Code, 1860.

2. As per the allegation, the applicant and other 15 farmers came on spot, they picked up a quarrel with the informant, and the present applicant and other 15 persons snatched the mobile phone of his associates and thrown it in the lake. It is further alleged that all have assaulted and bite him on his left shoulder, broke his spectacle, and snatched his mobile phone. On the basis of said report, police have registered the crime against the present applicant.

3. Learned counsel for the applicant submitted that, as far as the present applicant is concerned, general allegation is made against him. The other 15 persons are not made an

accused, and immediate custodial interrogation is not required. After he was released on ad-interim protection, the applicant has cooperated with the investigating agency. In view of that, he be protected by granting ad-interim protection.

4. Learned APP strongly opposed the said application and invited my attention towards the order passed by the learned trial Court and submitted that there is a specific allegation against the applicant. In view of that, the application deserves to be rejected.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the recitals of the FIR and the investigation papers, from which it reveals that general allegations are made against all the accused. Moreover, there is no specific allegation that it is the present applicant who has snatched the mobile phone of the informant or his associates. Considering the nature of the allegation, nothing is to be recovered from the present applicant, in view of that, the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order;

- a] The criminal application is **allowed**.
- b] The interim protection granted by the applicant by order dated 23/09/2024 is hereby confirmed with further modification.
- c] The applicant shall attend the concerned police station once in a week on Sunday between 10.00

a.m. to 01.00 p.m. and shall cooperate with the investigating agency till filing of the charge-sheet.

- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]