



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

CRIMINAL APPLICATION (ABA) NO.116 OF 2025

Jaipraksh s/o Lakharam Tejawani
Vs.

State of Maharashtra, through Police Station, Rana Pratap Nagar, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Arjun Raoka, Counsel for the applicant.
Ms. H. N. Prabhu, APP for the non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/03/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.36/2025 registered with Police Station, Rana Pratap Nagar, Nagpur for the offences punishable under Sections 275, 274, 223, 214 and 123 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 30(2)(a), 3(1)(zz) (iv), 59, 27(3)(e), 27(3)(d), 26(2)(iv) and 26(2)(i) of Food Safety and Standards Act, 2006, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant who submitted that as per the allegation, the raid was conducted by the Food Safety Officer, in the Plot No.15 of Jai Prabhu Society, which is owned by the present applicant and seized contraband articles like scented tobacco and Pan Masala worth Rs.1,12,970/-. On the basis of said report, police

have registered the crime against the present applicant.

3. He submitted that in fact, the applicant is not aware who has kept the said contraband articles in the house. As far as the custodial interrogation is concerned, which is not required as he is attending the Police Station and entire contraband articles are already seized.

4. Learned APP strongly opposed the said application and submitted that though applicant is attending the Police Station, but not cooperating the investigating agency. In view of that, the application deserves to be rejected.

5. After hearing the learned Counsel for the applicant and learned APP for the State and on perusal of the investigation papers, it reveals that the stock of contraband articles is already seized. The applicant is also attending the concerned Police Station. As far as the application of Section 328 is concerned, the issue is still pending before the Hon'ble Apex Court. The custodial interrogation of the present applicant is not required. In view of that, the interim protection granted to the present applicant by order dated 25.02.2025 deserves to be confirmed on similar terms and conditions. In view of that I proceed to pass following order:

ORDER

Interim protection granted to the present applicant by order dated 25.02.2025 is hereby confirmed on the condition that the applicant shall attend the concerned Police Station on Monday and Thursday between 10.00 a.m. to 1.00 p.m., till filing of the charge-sheet and shall cooperate with the investigating agency. The other terms and conditions shall remain as it is.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)