



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

CRIMINAL APPLICATION (ABA) NO.149 OF 2025

(Loknathan Munswami Pilley Vs. The State of Maharashtra thr. PSO Police Station
Old Kamptee, Tah. Kamptee, Dist. Nagpur)

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

Court's or Judge's orders.

Mr. Nazim Qureshi, Advocate for Applicant.
Mr. A. M. Ghogare, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 21st APRIL, 2025.

1. Heard.
2. Apprehending the arrest at the hands of police in connection with Crime No.84/2025 registered with Police Station Old Kamptee, District Nagpur for the offences punishable under Sections 74, 329(4), 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023. The applicant approached to this Court for grant of pre-arrest bail.
3. The crime was registered on the basis of report lodged by the victim on an allegation that the present applicant on 14.02.2025 entered in her house and abused her husband as well as her brother and also threatened her. Thereafter, when she was trying to call police station, the accused hold her hand and snatched the mobile phone from her, and therefore, she felt ashamed, and hence she filed the FIR as the applicant has outraged her modesty.

4. Heard learned counsel for the applicant who submitted that as far as the allegations are concerned which are baseless due to the previous enmity between the two families. He submitted that the recitals of the FIR shows that the allegation is only to the extent of holding her hand therefore, the custodial interrogation is not required. He filed the pursis to the extent that by showing the apology as the criminal antecedents are not mentioned in the application inadvertently.

5. The learned APP strongly opposed the said application on the ground that the applicant with the sexual intent hold the hand of the victim and therefore, his custodial interrogation is required.

6. On hearing both the sides and on perusal of the investigation papers it reveals that only allegation is that the applicant has hold her hands and snatched the mobile phone. Thus, considering there is allegations leveled against the present applicant. His custodial interrogation is not required. In view of that, the interim protection granted to the present applicant deserves to be considered. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the present applicant by order dated 05.03.2025 is hereby confirmed with the condition that he shall attend the

concerned police station as and when required for the investigation purpose and shall co-operate with the investigating agency, on issuance of the notice in advance to the present applicant by the Investigating Officer.

- (iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)