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907.A.B.A.449-2025

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

CRIMINAL APPLICATION (ABA) NO. 449 OF 2025

Pritam Rajesh Petewar

Vs.

State of Maharashtra, Through PSO, Police Station Aheri, Dist. Gadchiroli

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

Court's or Judge's orders

Mr. A.R. Fule, Advocate for the applicant.

Mr. Aditya Gohokar, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 10/07/2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.117/2025 registered with Police Station Aheri, District Gadchiroli, for the offenses punishable under Sections 227, 276, 274 and 123 of the Bhartiya Nyaya Sanhita, 2023, the applicant approached to this Court for grant of per-arrest bail.

2. Heard Learned Counsel for the applicant, who submitted that the involvement of the present applicant in the alleged offence is only on the basis of the statement of the co-accused. From the recitals of the FIR, it reveals that one Maruti Suzuki Celerio bearing registration No.MH-33/A-4301 was driven by its driver and was intercepted by the Police and on interception huge quantity of contraband tobacco products, which are banned in the State of

Maharashtra worth of Rs.3,36,600/- was seized by the Investigating Agency. The applicant alleged to be the owner of the said vehicle and, therefore, he is arraigned as an accused. He submitted that except the statement of the co-accused, there is no other material to connect him with alleged offence.

3. Learned APP strongly opposed the said application and submitted that, during the investigation, it reveals that there was a communication between present applicant and the other co-accused who is driver and as per his instructions, the driver has carried away with the said contraband. In view of that his custodial interrogation is required.

4. On hearing both the sides and on perusal of the recitals of the FIR, it reveals that that involvement of the present application is on the basis of the statement of the co-accused. Moreover, the entire stock is already recovered. As far as the immediate custodial interrogation is concerned, which is not required. In view of the application deserved to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following Order :-

O R D E R

i. The application is allowed.

ii. Interim protection is granted to the present applicant by order dated 25.06.2025 is hereby confirmed on the condition that the applicant shall attend the concerned Police Station once in a week on Monday between 10:00 a.m. to 01:00 p.m. and shall co-operate with the investigating agency.

iii. The applicant shall produce the vehicle registration papers and other relevant papers before the investigating officer.

iv. The applicant shall not indulge himself in similar type of the activities, single registration of the offence would lead to the cancellation of the bail.

v. The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

5. The criminal application is **disposed of**.

(URMILA JOSHI-PHALKE, J.)