



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

CRIMINAL APPLICATION (ABA) NO.483 OF 2025

Prashant Ramdas Nawalkar

Vs.

State of Maharashtra, through Police Station Officer, Yeoda,
District Amravati

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

Court's or Judge's orders

Mr. M. N. Ali, Counsel for the applicant.
Mr. N. B. Jawade, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/08/2025

Corrected as per
Court's order
dated 19.08.2025

1. Apprehending the arrest at the hands of police in connection with Crime No.118/2025 registered with Police Station Yeoda, District Amravati, for the offence punishable under Sections 3, 7, 9 of the Essential Commodities Act, Section 15 of the Environment (Protection) Act, Section 7(c) of the Seeds Act, 1966, Sections 7 and 8 of the Seeds Rules, 1968, Section 6 of the Weights and Measures Act, 1958 and Sections 3 and 9 of the Seeds (Control) Order, 1983 and Section 318(4), 336(4) and 340(2) of the Bharatiya Nyaya Sanhita Act, 2023.

2. Heard learned Counsel for the applicant, who submitted that the crime is registered on the basis of the report lodged by Taluka Agriculture Officer on an allegation that he received a secret

information that present applicant has sold the prohibited cotton seeds, which are of substandard nature and, therefore, he conducted a raid and huge quantity were seized from the Godown of the present applicant. On the basis of the said report, police have registered the crime. He submitted that the applicant is holding acres of the land and 7/12 extract of the family also shows that they are owner of the land and therefore, this stock was kept by him for sowing the same in the agriculture field. Thus, he has not committed any offence.

3. Learned APP strongly opposed the said application, who submitted that during the investigation, he was interrogated, but he is not cooperating with the investigating agency and not giving the details from whom he has procured the said seeds and therefore, his custodial interrogation is required. He submitted that as far as the contention of the applicant is that it was brought to sow in the field, is false and baseless as he was found selling the same. In view of that, the application deserves to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR and the documents filed on record, it reveals that substandard cotton seeds were seized from the present applicant. The documents which is filed on record shows that he was interrogated and some questions he has already answered. As far as the procurement of the said

seeds is concerned, he has disclosed that he has procured it from one Mishra, but has not given the details about the same. As far as the stock is concerned, which is already recovered. The applicant can be directed to attend the concerned Police Station. As far as the submission of the learned APP is concerned, one criminal antecedent he has already disclosed in the application. In view of that, the interim protection granted to the present applicant deserves to be confirmed. 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 03.07.2025 is hereby confirmed on condition that the applicant shall attend the concerned Police Station once in a week i.e. on every Monday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency in a positive manner.
- (iii) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.
- (iv) The applicant shall furnish his detailed address along with address proof before the investigating officer.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)