



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

**CRIMINAL APPLICATION (ABA) NO. 496 OF 2025**

( Gokul S/o Madan Jadhav

**Vs.**

State of Maharashtra, Thr. PSO Gadage Nagar, Dist. Amravati City. )

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| Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. A.S. Deshpande, Advocate for the Applicant.

Mr. M.J. Khan, APP for the Non-applicant/State.

**CORAM: URMILA JOSHI-PHALKE, J.**

**DATED : 23<sup>rd</sup> JULY, 2025**

1. Apprehending the arrest at the hands of Police in connection with Crime No.354/2025 registered with Police Station Gadage Nagar, District Amravati for the offences punishable under Section 15 of the Environment Protection Act, 1986, Sections 3, 7 and 9 of the Essential Commodities Act, under Section 7(c) of the Seeds Act, Section 6 of the Weight and Measurement Act, 1958, Rules 7 and 8 of the Seeds Rules, 1968 and Sections 3 and 9 of Seeds Control Order, 1983 and Sections 318(4), 336(4), 340(2) of the Bharatiya Nyaya Sanhita, 2023, the Applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the Applicant who submitted that the Applicant is Territory Sales Manager in the Seeds License of Divya Shakti Private Limited and Divya Shakti Private Limited is a company registered under the

Companies Act, 1956. The Company is dealing with the business with manufacturing and selling of seeds and having its valid Seeds Licence. On 07.05.2025, one secret information was received in the Office that on 08.05.2025, H.T.B.T. Herbicide-Tolerant Variety of B.T. Cotton (BG-4) cotton seeds were transporting through travel from Ahmadabad, Gujrat which is not permitted, and therefore, the Investigating Agency has intercepted the vehicle and one person was found in a suspicious condition, preparing for selling the said seeds, but on approaching the said person, he fled away from the spot, and therefore, the offence was registered against the unknown person.

**3.** Learned Counsel for the Applicant submitted that the Applicant is apprehending the arrest at the hands of Police, in fact, without sending the sample to the analysis, the FIR came to be lodged. He submitted that the Informant has not followed due procedure and report was lodged. As far as the immediate custodial interrogation is concerned, which is not required as the entire stock is already recovered. The company is not made the Applicant as an accused, he is the only Area Manager in the Territory Sales Manager. Thus, considering the Applicant has already cooperated with the Investigating Agency. His physical custody is not required he be released on anticipatory bail.

**4.** Learned APP strongly opposed the said application and submitted that earlier also the some sort of similar seeds were transported to the Maharashtra and an attempt was made to sale, the said seeds which are prohibited in the State

of Maharashtra. He further submitted that custodial interrogation is required to ascertain the fact that from which the said seeds were obtained by the present Applicant or his company. In view of that, the Application deserves to be rejected.

5. On hearing both sides and on perusal of the recitals of the FIR and other documents on record it reveals that the Applicant is a Territory Sales Manager and the entire stock is already recovered. As far as the custodial interrogation is concerned, which can be taken care of by imposing certain conditions on the present Applicant. In view of that, the Application for grant of anticipatory bail deserves to be allowed. Accordingly, I proceed to pass following order:

### **ORDER**

- i. The Application is **allowed**.
- ii. The *ad interim* protection granted to the Applicant by order dated 08.07.2025, is hereby confirmed on the condition that, he shall attend the concerned Police Station once in a week i.e. on every Sunday between 10.00 a.m. to 01.00 p.m. and shall cooperate with the Investigating Agency.
- iii. The Applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

**iv.** The Applicant shall not indulge himself in similar type of the activities.

**6.** Pending application/s, if any, shall stand disposed of accordingly.

**(URMILA JOSHI-PHALKE, J.)**

*SD. Bhimte*