



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

CRIMINAL APPLICATION (ABA) NO. 560 OF 2025

(Shri Pravin Madhukar Dakhre

Vs.

State of Maharashtra, Thr. Police Station Warora Tahsil, Warora,
 Dist. Chandrapur)

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.M. Chandekar, Advocate for the Applicant.
 Ms. Mrunal Barabde, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 20th AUGUST, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.363 of 2025 registered at Police Station Warora, District Chandrapur for the offences punishable under Sections 15, 16 and 7 of the Protection of Environment Act, 1986, Sections 3 and 7 of the Essential Commodities Act, 1955, Sections 19, 7(a), 7(c), 7(d), of Seeds Act; Sections 7 to 14, 38 of Seeds Rules, 1968; and Sections 3 and 8 of Seeds Control Order, 1983, the Applicant approached this Court for grant of pre arrest bail.

2. Heard learned Counsel for the Applicant, who submitted that the First Information Report came to be registered against the other co-accused, on an allegation that

they were found in possession of fake cotton seeds, which were seized. On the basis of the said report, Police have registered the crime against the co-accused. During the investigation, the investigating officer visited on various occasions at the house of the present Applicant, and therefore, the present Applicant is apprehending the arrest at the hands of Police, and therefore, he approached this Court. He submitted that, as far as the role of the present Applicant is concerned, which is not mentioned in the FIR, his immediate custodial interrogation is not required. Moreover, the seeds are already seized by the investigating agency, and therefore, the custodial interrogation is not required.

3. Learned APP strongly opposed the said Application and submitted that, the Applicant has not cooperated during the investigation. The interrogation with the present Applicant as to the procurement of the said seeds requires to be interrogated, and therefore, the Application deserves to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR, admittedly the Applicant is not named in the FIR. As far as his immediate custodial interrogation is concerned, which is already directed to attend the Police Station, his custodial interrogation is not required. The incriminating articles are already seized. 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 *ad interim* protection granted to the Applicant by order dated 29.07.2025, is hereby confirmed on the condition that, he shall attend the concerned Police Station once in a week i.e. on every Monday between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet 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.
5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)