

**35**  
**10/01/2023**  
**ABA –**  
**2837/22**  
**Exh.2**

**CORAM : H.H.J. SHRI S.D. KULKARNI - ADDL.SESIONS JUDGE**  
**(C.R.NO.30)**

A.P.P. Mr. Lade for State present.

Constable attached to Shivaji Park police station present.

Reply filed by concerned p.stn ,t.o.r. and marked as Exh.2

O- T.O.R.

Adv. for applicant present.

Perused application, say filed by the prosecution, documents filed on record.

Heard both advocate at length.

Prosecution submitted that the complaint is received against applicant / accused but still crime is not registered. He has send notice to the applicant / accused for inquiry but he did not appear. As the offence is not registered against the accused, hence prayed for rejection of the application.

The advocate for the applicant submitted that there is apprehension in the mind of accused that police may arrest him, on registration of FIR. Thus there is apprehension of immediate arrest to the applicant / accused. Hence, in my opinion, applicant / accused is entitled for some protection after registration of crime. Considering this I pass following order-

**ORDER**

1. If crime registered against the accused, investigation officer is directed to issue 48 hours notice to the applicant /accused, till then no coercive action should be taken against him.

2. The applicant / accused should give his attendance before the Investigating officer on every Saturday in between 4.00 p.m. to 8.00 p.m. till further order.

3. The applicant accused further directed to assist the Investigating officer and remain present as and when he require attendance by issuing notice.

4. Accordingly ABA No. 2837 of 2022 is disposed off.

Addl. Sessions Judge