



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

CRIMINAL APPLICATION [ABA] NO. 199 OF 2026

SUBHASH SURESH CHAWARE

VERSUS

STATE OF MAH., THRU. P.S.O., KHAMGAON GRAMIN, DIST. BULDHANA

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. A. V. Karnavat, Advocate for the applicant.
Mr. S. B. Bissa, A. P. P. for the State.

CORAM : M. W. CHANDWANI, J.
DATE : MARCH 13, 2026.

1. Heard the learned counsel appearing on behalf of the applicant.
2. Issue notice to the non-applicant/State, returnable on 30.03.2026.
3. Learned APP waives service of notice on behalf of the non-applicant/State.
4. The applicant is apprehending arrest in connection with Crime No. 42/2026 registered with Police Station, Khamgaon Gramin, Dist. Buldhana for the offences punishable under Sections 303(2), 324(3) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 21(1), 21(2) of the Mines and Minerals (Development and Regulation) Act, 1957.
5. The contention is that a raid was conducted by Tahsildar, Khamgaon at Deulkhed and a JCB machine was found to be involved in illegal excavation of 'murum' - a minor mineral. In the enquiry, it was revealed that one



tractor was also involved in illegal excavation of minor minerals. The applicant happens to be the owner of that tractor. Therefore, his name has surfaced in this crime.

6. Considering the submissions, the nature of allegations against the applicant and the fact that the raid has already been conducted, coupled with the fact that the case-diary is not available with the Court for perusal at this juncture, a case is made out for grant of ad-interim protection to the applicant. Hence, the following Order :

i) Pending the application, in the event of arrest of applicant- Subhash Suresh Chaware in connection with Crime No. 42/2026 registered with Police Station, Khamgaon Gramin, Dist. Buldhana for the offences punishable under Sections 303(2), 324(3) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 21(1), 21(2) of the Mines and Minerals (Development and Regulation) Act, 1957, he shall be released on bail on furnishing a PR bond of Rs.25,000/- with one solvent surety in the like amount.

ii) The applicant shall attend the concerned Police Station on every Tuesday and Friday for a period of two weeks between 10.00 am and 12.00 noon and shall cooperate in the investigation.

iii) The applicant shall not indulge in tampering with the prosecution evidence and shall not pressurize the prosecution witnesses in any manner.

(M.W.Chandwani, J.)