



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

CRIMINAL APPLICATION (ABA) NO.476/2026

Sujit s/o Murlidhar Sultane

Vs.

The State of Maharashtra thr. Round Officer, Badnera Office of Range Forest
Wadali Forest Range, Amravati Tq. And Dist. Amravati

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

Court's or Judge's orders

Shri T.U. Tathod, Advocate for applicant
Mrs. M.R. Kavimandan, APP for non-applicant/State

CORAM : PRAVIN S. PATIL, J.

DATE : 11.06.2026

1. Heard.
2. Issue notice to the non-applicant, returnable on 06.07.2026.
3. Learned APP waives notice for non-applicant/State.
4. The applicant is apprehending the arrest in connection with complaint/Forest Crime bearing No.00030/00729/2026 dated 09.04.2026 for the offences punishable under Sections 26 (1)(a)(d)(g)(h), 41 and 42 of the Indian Forest Act, 1927 and Rule 31 and 82 of the Maharashtra Forest Rules, 2014.
5. It is the submission of the present applicant in the present case that the investigation team has recorded the statement of one of the accused namely Sham Ramesh Lonkar and the said accused has stated that present

applicant is also involved in digging the surface soil from the reserve Forest Compartment without any authority. As such, on the statement of co-accused, his name is included in the matter. According to the applicant, the punishment for the offences which are alleged against him is up to one year.

6. The applicant further relied upon the judgment delivered by this Court in Writ Petition No.1703/2026 dated 15.04.2026 in the case of ***Ajay Prakashchand Agrawal Vs. State of Maharashtra and ors.***, wherein this Court has issued certain directions which are required to be complied with by any authority while issuing notice in the matter. The same are at paragraph No.11 of the judgment, which are reproduced as under:

“11. Therefore, in our Writ jurisdiction under Article 226 of the Constitution of India, we are constrained to issue the following directions to be complied with by all the police authorities within the State of Maharashtra:

(i) Whenever any person is so summoned with a direction to participate in the inquiry, whether prior to registration of FIR or otherwise, the concerned officer shall, as a general rule, shall furnish a copy of complaint received by the police, along with said notice.

(ii) In cases where it is not feasible to furnish a copy of the complaint, the notice shall mandatorily contain or annex a separate sheet mentioning clear and sufficient gist of the allegations levelled against the individual so

summoned, so as to enable the person to understand the nature of the inquiry that is being held against him.

(iii) Any deviation from the requirement of furnishing complaint or its narration in a gist, shall be only in rare and peculiar circumstances where disclosure would seriously prejudice the on-going investigation or endanger the safety of the complainant or witnesses. In such cases, if the police officer is of the said opinion, the reasons for not disclosing the details of the complaint, shall be recorded in writing by the officer concerned.”

7. According to the applicant, in the present matter, though the notice dated 15.04.2026 was issued, the same was not accompanied with the complaint and, therefore, he was unable to submit his explanation. So also, he was apprehending the arrest in the matter and therefore, approached to the learned Sessions Court for grant of bail. It is his submission that concerned officer wants to record his statement and he is ready for the same. In case he has granted protection then he can appear before the concerned Range Forest Officer, Wadali Forest Range, Amravati, and his statement can be recorded.

8. Learned APP states that some time is required in the matter to get the case papers and to confirm the fact whether the present applicant has been served the notice or not and other details in the matter. In the circumstances, till the filing of the reply, the applicant can be protected in the matter by passing the following order. Accordingly, I

proceed to pass the following order:

ORDER

- i) In the event of arrest in complaint/Forest Crime bearing No.00030/00729/2026 dated 09.04.2026 for the offences punishable under Sections 26 (1)(a)(d)(g)(h), 41 and 42 of the Indian Forest Act, 1927 and Rule 31 and 82 of the Maharashtra Forest Rules, 2014, the Applicant – Sujit s/o Murlidhar Sultane be released on bail on his executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- ii) The Applicant shall remain present before the Range Forest officer, Wadali Forest Range, District Amravati, on every Monday, Wednesday and Friday from 11.00 a.m. to 04.00 p.m. till the next date of the matter.
- iii) The Applicant shall also attend the Range Forest officer, Wadali Forest Range, District Amravati, if otherwise required on other days prior intimation from the officer received to him in the matter.
- iv) The Applicant shall, at the time of execution of bond, furnish his address and telephone/mobile number(s) to the Investigating Officer and the Court concerned, and shall not change the same till the final disposal of the case.
- v) The Applicant shall not directly or indirectly make any inducement, threat or promise to any witness

acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any Police Officer.

vi) The Applicant shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the Investigating officer.

9. Stand over to 06.07.2026.

(PRAVIN S. PATIL J.)

R.S. Sahare