

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.686 OF 2015

Ravindra Sumant Badvane	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr.V.V. Purwant for the Applicant
Ms.Veera Shinde, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **JUNE 16, 2015**

P.C.:

1. The application is moved for pre-arrest bail as the applicant/accused is facing charges u/s 384, 385, 452, 504, 506 of the Indian Penal Code registered at C.R. No.83 of 2015 at Valsang police station, Solapur. One Mr.R.K. Nagesh, who is working as a Senior General Manager in Zuari Cement Company, having its branch at Auj, Taluka South Solapur, Solapur, has given the complaint that on 24.3.2015, the applicant/accused arrived in his cabin, told his name and demanded money. At that time, one Padamsinh Patil, working in the office, was present. Then, again on 28.3.2015, he phoned him and thereafter on 6.4.2015 also, he phoned the applicant/accused and disclosed his identity, demanded money and threatened that he would break his legs and hands and whether he wanted to go in one piece to Bangalore or not. Then immediately after about 15 minutes, at that time, the applicant/accused came to his office and demanded Rs.7 lacs and threatened him of assault and of outraging the modesty of his wife.

2. The learned Counsel for the applicant/accused has submitted that the applicant/accused is innocent. He is a poor person. On the contrary, this complainant has taken Rs.4 lacs on 24.3.2015 from him at 8am at Ashra Chowk on the pretext that he would be giving employment in Zuari Cement Company to the applicant/accused. He pointed out a written complaint given by the applicant on 15.4.2015 to the Commissioner of Police, Solapur that he waited in hope that on 1.4.2015, he would get employment call. He, therefore, contacted the complainant and asked about the money. However, the complainant was arrogant and he threatened him that he would implicate the applicant in a false criminal case. The learned Counsel further submitted that the meeting of the applicant/accused and the complainant took place in a hotel viz., Tripursundari at Solapur and it was recorded in CCTV camera of the hotel. On query, he submitted that a meeting between the complainant and the accused has taken place at the hotel on 6.4.2015. The police ought to have collected the CCTV recording.

3. The learned Prosecutor has opposed the application. On instructions, he submitted that earlier there is one criminal offence registered under section 353 against this applicant/accused.

1. Perused the FIR so also the complaint given by the applicant/accused to the Commissioner of Solapur. In the complaint, he

has not mentioned a word about the meeting at the hotel. There is no specific date mentioned when the amount of Rs.4 lacs was given at the hotel. Under such circumstances, it is difficult for the police to collect the recording of CCTV in the absence of specifications. It is a case of extortion and the complaint was given by the applicant/accused after the complaint of the complainant.

4. Hence, the application is rejected.

(MRS.MRIDULA BHATKAR, J.)