

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1756 OF 2015

Shrikrushna Bajirao Sabale

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Vilas B. Tapkir for the Applicant.

Mr. S.S. Pednekar, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 23rd NOVEMBER, 2015.

P. C. :

This is an application for pre-arrest bail filed by the aforesaid Applicant in apprehension of his arrest in Crime No.91 of 2014 registered with Chakan police station, Pune, for the offences punishable under sections 341, 363, 326, 324, 143, 147, 149 and 506 of the IPC.

2. Heard the learned counsel for the Applicant and the learned APP for the Respondent-State.

3. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties. The record

prima facie reveal that the FIR was lodged on 24.2.2014 in respect of the incident occurred on 23.2.2014. The grievance of the complainant was that on 23.2.2014 some persons by name Bajrang Sable and others had taken him to one open ground at Arekar Vasti and thereafter the Applicant herein and the others had assaulted him with the wooden sticks, kicks and blows. The material on record prima facie reveal the involvement of the Applicant in the said crime. The medical certificate also prima facie reveal that the complainant had sustained injuries. It is however, to be noted that the offence was registered on 24.2.2014. The case diary reveals that from 28.2.2014 till the date of filing of the application, there is no entry in the case diary as to show nature of investigation carried out during this period. This fact itself is sufficient to grant anticipatory bail to the Applicant. Moreover, considering the delay, in my considered view presence of the Applicant would not be required for the purpose of the custodial interrogation and /or for the purpose of investigation. The Applicant is permanent resident of Bahul, Taluka-Khed, District-Pune, hence, there are no chances of his absconding or fleeing away from justice.

4. Considering the above circumstances, the application is allowed. The Applicant is entitled for anticipatory bail on the

following terms and conditions:-

i) In the event of arrest of the Applicant in C.R. No.91 of 2014 registered at Chakan police station Dist. Pune, the Applicant be released on bail bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety in the like amount to the satisfaction of the learned Judicial Magistrate, First Class, Khed, Rajgurunagar.

ii) The Applicant shall report to the Investigating Officer for seven days between 10.00 a.m. to 1.00 p.m. and further as and when required by the Investigating Officer for the purpose of investigation and interrogation.

(ANUJA PRABHUDESSAI, J.)