

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.39 OF 2016

Mr. Ankush Kisan Khandekar	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Sushant S. Prabhune, Adv. for the applicant.
Mrs. Veera Shinde, APP for the State.

CORAM : SMT ANUJA PRABHUDESSAI, J.
DATE : 12th January, 2016.

P.C. :

1. This is an application for anticipatory bail filed by the aforesaid applicant apprehending his arrest in Crime No.173 of 2015 registered at Walchandnagar Police Station, Pune for offences punishable under Sections 420 and 409 of IPC.

2. The allegations against the applicant are that he had misappropriated an amount of Rs.1,66,926/- during the period from 1997 to 1999 while he was the Gramsevek of Grampanchayat Lasurne.

3. Heard Mr. Prabhune, the learned counsel for the applicant and Mrs. Shinde, the learned APP for the State. I have perused the records and considered the submissions advanced by the learned

counsels for the respective parties. The records prima facie reveal that the said FIR based on an audit report. The amount was allegedly misappropriated during the period from 1997 to 1999. An audit report was submitted in the year 2011 whereas the FIR has been lodged in the year 2015. Considering the time gap and the delay in lodging the FIR, in my considered view, the case does not justify custodial interrogation.

4. Under the circumstance, the application is allowed on the following terms and conditions.

1. In the event of arrest of the applicants in Crime No.173 of 2015 registered at Walchandnagar Police Station, Pune, the applicant shall be released on bail bond of Rs.20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of the JMFC, Indapur.
2. The applicant shall report to investigating officer for 7 days from 10 am to 1 pm. from the date of the receipt of the order or as and when called by the investigating officer for the purpose of the interrogation.

(ANUJA PRABHUDESSAI, J.)