

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.337 OF 2016

|                                |     |            |
|--------------------------------|-----|------------|
| Ratnakar Dnyandev Pawar & Ors. | ... | Applicants |
| Vs.                            |     |            |
| The State of Maharashtra       | ... | Respondent |

Mr. Tushar Sonawane, Adv. for the applicant.  
Ms. Veera Shinde, APP for the Respondent.  
Mr. N.E. Bodalene, PSI, Vishrantwadi P.S., Pune present.

**CORAM : SMT ANUJA PRABHUDESSAI, J.**  
**DATE : 23<sup>rd</sup> February, 2016.**

**P.C. :**

1. This is an application for anticipatory bail filed by the aforesaid applicants apprehending their arrest in Crime No.I-195 of 2015 registered at Vishrantwadi Police Station, Pune for offences punishable under Sections 420, 504, 506 & 406 r/w. 34 of the IPC.

2. Heard Mr. Sonawane, the learned counsel for the applicants and Ms. 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.

3. The records prima facie indicate that applicant No.1 is the Managing Director of Girna Infraprojects Pvt. Ltd., which is a

company engaged in construction of buildings. The applicant Nos.2 and 3 are the employees of the said company. By Work Order dated 31<sup>st</sup> March, 2014, the co-accused Sikandar Patel, was awarded work of shuttering, steel binding and concreting work at Girna Dgmap Pune-II site at Pune and Lonavala. In terms of the said work order the co-accused Sikander Patel had given scaffolding equipments on rent to the company and the company had paid the rent to said Sikander Patel.

4. A perusal of the complaint lodged by Bilal Chauhan indicates that said Sikander Patel had taken the scaffolding equipments on hire from the applicants and he had not paid the rents for the same. The records do not prima facie indicate that there was any privity of contract between the complainant and the aforesaid applicants. The dispute prima facie is between the complainant and the co-accused Sikander Patel. Hence the presence of the aforesaid applicants is not required for custodial interrogation. Even otherwise the applicants are permanent residents of Pune and Nashik and there is no possibility of the applicants absconding. The applicants have no criminal antecedents.

5. In view of the above facts and circumstances the application is allowed on the following terms and conditions.

- (i) In the event of arrest of the applicants in Crime No. I-195 of 2015 registered with Vishrantwadi Police Station, Pune, the applicants shall be released on furnishing bail bonds of Rs.15,000/ (Rupees Fifteen Thousand Only) each with one surety in the like amount to the satisfaction of the JMFC, Pune.
- (ii) The applicants shall report to the investigating officer for 4 days from 10 am to 1 pm from the date of receipt of this order.

**( ANUJA PRABHUDESSAI, J. )**