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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.915 OF 2016

Rajesh Kalidas Jadhav	..Applicant.
V/s.	
State of Maharashtra	..Respondent.

Mr.Amey Deshpande for the applicant.

Mr.Deepak Thakery, APP for respondent-State.

CORAM : A.M.BADAR, J.

DATED : 19TH JULY, 2016

P.C. :-

1. The applicant / accused in Crime No.237/2016 for the offences punishable under section 394, 506(2) read with 34 of the Indian Penal Code registered with Bharti Vidyapeeth Police Station, Pune City is praying for pre-arrest bail.

2. Heard the learned counsel for the applicant / accused. In his submissions, the applicant is falsely implicated in the crime in question as the informant has sold out a plot to the applicant but subsequently, it was revealed that the area of that plot was under acquisition. According to the learned

counsel when the applicant demanded money paid as consideration for purchase of that plot, the informant has falsely implicated him in the crime in question.

3. The learned APP opposed the application by stating that there are witnesses to the alleged incident.

4. Perused the papers of investigation including the F.I.R. lodged by Rajkumar Sangave. The informant is a owner of Janseva Estate Agency, which deals with real state. He reported to police that on 17th April, 2016 the present applicant came to his office and took him on the pretext of request to show the boundaries of the plot. Informant Rajkumar further averred that thereafter, he was taken by the present applicant and co-accused Nathu to the room of their friend. The informant reported that he called his friend Laxman Mahajan. They all consumed liquor and snacks. Thereafter, according to the informant, the present applicant and co-accused Nathu took them to Pimpalgaon on the pretext of going to Koregaon Park at Pimpalgaon. As per averments of the informant, the present applicant and co-accused Nathu assaulted him and he was robbed of his gold

ring as well as ear-ring costing Rs.1.03 lakhs. The report of this incident came to be lodged on 19th April, 2016. The informant further averred that the present applicant and the co-accused demanded an amount of Rs.25 lakhs from him.

5. Papers of investigation shows that in fact, the applicant had been to the office of the informant. This is vouched by the office assistant of the office of the informant. Eye witness Laxman Mahajan has also stated that the present applicant and co-accused had taken them to Pimpalgaon area where the informant was beaten by the accused persons and gold ornaments worth Rs.1.03 lakhs of the informant were snatched from him by the present applicant and co-accused.

6. Considering the statement of eye witness, at this stage, it cannot be said that the applicant is falsely implicated in the crime in question. Recovery is required to be effected. Considering the nature of crime, no case for pre-arrest bail is made out. The application is, therefore, rejected.

(A.M.BADAR, J.)