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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1350 OF 2016

Jaywant @ Kaluram Narayan Wadgule	..Applicant.
V/s.	
State of Maharashtra	..Respondent.

Mr. Sayaji D. Nangre for the applicant.

Mr. Deepak Thakre, APP for respondent-State.

CORAM : A.M.BADAR, J.

DATED : 10TH AUGUST, 2016

P.C. :-

1. Heard the learned counsel for the applicant as well as the learned APP. The learned APP fairly pointed out that the informant has submitted a duly sworn affidavit before the Investigating Officer and stated that he has lodged the F.I.R. in question because of an misunderstanding. The learned APP submits that the informant is also present before the Court personally and upon being asked by the learned APP, he is stated that the F.I.R. came to be lodged by him against the applicant because of some misunderstanding.

2. Perused the F.I.R. as well as the papers of investigation submitted by the learned APP. The informant has averred that the applicant has withdrawn some amount from his Savings Bank Account. The learned counsel for the applicant has pointed out that the F.I.R. itself goes to show that as the informant is an illiterate person, the present applicant was accompanying him to the bank on each occasion even the Savings Bank Account was opened with the help of the present applicant. In this view of the matter, the liberty of the applicant has to be protected and therefore, the order :-

- (i) The application is allowed;
- (ii) In the event of arrest, the applicant / accused in Crime No.397/2016 for the offences punishable under section 420, 463, 464 and 465 of the Indian Penal Code with Yevat Police Station, District Pune be released on bail on his executing P.R. bond in the sum of Rs.5,000/- with one or more surety in the like amount;
- (iii) As a condition of this order, the applicant / accused shall

attend Yevat Police Station, District Pune on 28th August, 2016 between 11.00 a.m. to 1.00 p.m. and shall co-operate with the Investigating Officer;

- (iv) The applicant / accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him / her from disclosing such facts either to the Court or to any police officer and that he shall not tamper with the evidence;
- (v) The applicant / accused shall co-operate for expeditious disposal of the trial;
- (vi) The applicant / accused shall not commit an offence similar to the offence of which he is accused or suspected of commission;
- (vii) The application is disposed of accordingly.

(A.M.BADAR, J.)