

Anand

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1114 OF 2017

Pramod Pandit Balkawade

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr.R.B.Kadu, Advocate, for the Applicant

Mr.Rajan Salvi, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 05.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.229 of 2016 registered with the Deccan Police Station, District – Pune, for the alleged offences punishable under Sections 395, 420, 323, 347, 346, 506 of the Indian Penal Code, Sections 3(25), 4/25 of the Arms Act and under Section 37(1)(3)135 of the Bombay Police Act.

3. Learned counsel for the Applicant submits that there is no material to connect the Applicant with the alleged offences.

He submits that in fact, the Applicant himself is a victim of the said crime and hence, was not arrested by the police. He further submitted that there is no recovery from the Applicant.

4. Learned APP on the instructions of the investigating officer, who is present in Court does not dispute the fact that the Applicant was attending the police station regularly and hence, was not arrested. The date on which charge-sheet was filed, the Applicant was present and was taken into custody by the learned Magistrate. Learned APP fairly submits that it appears that the Applicant himself is a victim of the said crime. He does not dispute the fact that there is no recovery of any article at the instance of the Applicant. He further submits that the Applicant has no antecedents.

5. Considering the aforesaid, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions:-

ORDER

(i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

(ii) The Applicant to cooperate with the conduct of the trial.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)