

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.852 OF 2017

Swapnil Jadhav

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr.Rajiv Patil, Senior Counsel i/b. Mr.O.V.Warange, for the
Applicant

Mr.S.S.Pednekar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 13.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C.R.No.12 of 2016 registered with the Shrioli M.I.D.C. Police Station, Kolhapur, for the alleged offences punishable under Sections 467, 468 & 471 of the Indian Penal Code.

3. Learned Senior Counsel for the Applicant submits that the Bank Guarantee which is alleged to have been forged has admittedly not been used. He submits that the Applicant himself, has handed over the said Bank Guarantee to the police, pursuant

to which the aforesaid complaint was lodged.

4. Learned APP does not dispute the fact, that the Applicant has reported to the investigating officer as directed by this Court vide Order dated 05.05.2017. He also does not dispute the fact, that it is the Applicant who handed over the Bank Guarantee to the police and that the same was not used.

5. Considering the aforesaid, custodial interrogation of the Applicant is not required. The Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions:-

O R D E R

(i) In the event of arrest, the Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.25,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall attend the concerned police station as & when called for by the investigating officer.

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.)