

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

**ANTICIPATORY BAIL APPLICATION NO. 1697 OF 2017**

Shri. Jagdish @ Babu Ramchandra Wadkar                      ... **Applicant**

**V/s.**

The State of Maharashtra                                              ... **Respondent**

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Mr. S.S. Sawalkar for the Applicant.

Mrs. Rutuja Ambekar, APP for the Respondent/State.

**CORAM : A.S.GADKARI, J.**

**DATE : 04<sup>th</sup> OCTOBER, 2017**

**P.C.:**

.        The Applicant is apprehending arrest in C.R. No. 699/2017 dated 30.08.2017 registered with Satara City Police Station, District Satara under Sections 386, 504, 506 read with Section 34 of the Indian Penal Code.

2        The First Information Report is lodged by Smt. Savita Wadkar. It is alleged that on 30.08.2017 at about 1.30 p.m. when the first informant was at her home along with her minor son, the Applicant along with co-accused committed criminal trespass in her house and demanded a ransom of Rs.1,00,000/- from her. When the first informant expressed her inability, they ransacked her house and fled away from the scene of offence. The husband of the first informant was at Mahabaleshwar at that time. And after his return, she immediately lodged First Information Report on the same day.

3 Heard the learned Counsel for the Applicant, learned APP and perused the papers of the investigation.

Learned Counsel for the Applicant submitted that the present crime registered by the first informant is a counter blast to the civil litigation pending between the parties. He further submitted that, the husband of the first informant in another criminal application against some other persons has made similar allegations. He submitted that the civil transaction between the Applicant at the one side and the husband of the informant on other side, is being given a colour of criminality. He submitted that Applicant is ready and willing to co-operate with the investigating agency and therefore, he may be protected by way of pre-arrest bail.

4 The record clearly indicates that First Information Report is duly corroborated by the statements of neighbour who in unequivocal terms has stated that on 30.08.2017 at about 1.30 p.m. the Applicant along with other co-accused committed criminal trespass in the house of first informant and ransacked her house. The witness has categorically stated that at that time the first informant and her minor son Harshwardhan were crying and were requesting the neighbours for help. The statement of husband of first informant namely Jagdish Wadkar reveals that the Applicant has on earlier occasion extorted an amount of Rs.5,50,000/- from him. The investigation carried out till date clearly reveals that the said statement is duly corroborated by the entries from the relevant bank

account.

5 After perusing the record of investigation, it clearly appears that the offence alleged against the Applicant, is of very serious nature. The Applicant has committed criminal trespass in the house of first informant and had demanded ransom from her which according to me required thorough investigation at the hands of police and it is not possible without custodial interrogation of the Applicant *inter alia* according to me, the custodial interrogation for the Applicant in the present crime is imperative.

6 In view of the above, there is no merit in the application and the same is rejected.

**(A.S.GADKARI, J.)**