

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

ANTICIPATORY BAIL APPLICATION NO.12 OF 2018

Rambhau Vithoba Margale & Anr. Applicants

Vs.

The State of Maharashtra Respondent

Mr. Satyavrut P. Joshi for the Applicant.

Ms. P.P. Shinde, APP for the State.

Mr. K.C. Deore. P.C.

Coram : Smt. Sadhana S. Jadhav, J.

Date : 8th January, 2018

P.C.:

1 Heard the learned counsel for the applicants and the learned APP. Perused the papers of investigation.

2 This is an application under Section 438 Code of Criminal Procedure. The applicants herein are apprehending their arrest in Crime No.544 of 2017, registered at Talegaon Dabhade Police Station, Pune Rural, for the offences punishable under Sections 420, 468, 471 read with 34 Indian Penal Code.

3 It is the case of the prosecution that the Superintendent of Police had received an application from one Kunjumom Baby for

issuing licence for purchasing revolver. The applicants were given a list of documents to be submitted. The said documents were submitted as per requisition. One of the annexure was a certificate issued by Arms Handling Institute and Arms Practical Firing Training Report. The police had suspected the genuineness of the said certificates and had enquired into the same. In the course of enquiry, it was revealed that the certificate was sham and no such training was given. The statement of the applicants were recorded and they have admitted the same. Hence, the report was lodged by S.B. Punekar, Police Havildar. On the basis of which, Crime was registered

4 Learned counsel for the applicants, upon instructions submits that after registration of the present case, the training school has been shut down. In fact, the training was only for using air rifles. It is the case of the prosecution that the said certificates are false and fabricated. There are no criminal antecedents. Upon perusal of the records and upon hearing the submissions, this court is of the opinion that the custodial interrogation of the present applicants may not be imperative and the applicants deserve to be enlarged on bail.

5 The observations made hereinabove are prima facie in nature and shall not be taken into consideration for the purpose of

quashing of F.I.R., discharge application or at the time of trial.
Hence, the order :

ORDER

- 1 The application is allowed.
- 2 In the event of arrest, the applicants be enlarged on bail on furnishing P.R. bonds in the sum of Rs.25,000/- each with one or more solvent sureties in the like amount.
- 3 The applicants shall report to Talegaon Dabhadi Police Station on every Sunday between 10.30 am. to 12.00 noon till filing of the charge-sheet.

(*Smt. Sadhana S. Jadhav, J*)