

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 223 OF 2018

Kishor Ashok Dhotre. ..Applicant.

V/s.

The State of Maharashtra. ..Respondent.

Mr. Chetan S. Damre, advocate for applicant.

Mr. S.S. Pednekar, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : AUGUST 1, 2018.

P. C. :

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 The applicant herein is charge-sheeted in Crime No. 300 of 2016 registered at Ambad Police Station on 17/11/2016 for the offence punishable under section 392 read with section 34 of the Indian Penal Code and under section 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act. The investigation is completed and charge-sheet is filed on 30/5/2017.

3 It is the case of the prosecution that on 17/11/2016 Mrs. Chaya Dattu Jadhav lodged a report at the police station alleging therein that on 17/11/2016 she had been to Flying Colour School to drop her son. When she was returning home and passing through Sambhaji Stadium, unknown persons came on motor cycle and snatched her

Talwalkar

mangalsutra worth Rs. 35,500/-. On the basis of her report, Crime No. 300 of 2016 was registered. The present applicant was arrested on 2/12/2016.

4 The learned APP on the basis of the record, has submitted that the applicant has been charge-sheeted in 12 cases for offence punishable under section 392, 379 read with section 34 of the Indian Penal Code. The applicant is being prosecuted under the provisions of Maharashtra Control of Organised Crime Act.

5 Learned Counsel for the applicant vehemently submits that in the present case, there is no recovery from the applicant and therefore, he deserves to be enlarged on bail.

6 The said submission would be irrelevant, as it would not be possible to record a satisfaction in favour of the applicant that in the eventuality, if he is enlarged on bail, he would not commit similar offence. It is also informed that in the present case, the charges are framed against the present applicant and this Court hopes that the trial would be expedited.

7 The application being sans merits stands rejected and disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]