

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 1587 OF 2018**

Lomesh Sadashiv Salame

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Shailesh Kharat for the Applicant.

Mr. N.B. Patil APP, for the Respondent-State.

Mr. Pradeep N. Pawar, API, Ghodegaon Police Station.

CORAM : A. S. GADKARI, J.

DATE : 24th NOVEMBER, 2018.

P.C.:-

The Applicant was granted interim relief by an Order dated 5th October, 2018 and was directed to attend the Investigating Officer on stipulated dates, to co-operate with the process of investigation.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the record.

3 The learned counsel for the Applicant submitted that, the Applicant was working as a Project Officer in the Tribal Development Department at Ghodegaon, District Pune. In pursuance of the M.G. Gaikwad Committee Report submitted to the Government, the present

crime has been registered. He submitted that, a person by name Rajjurkar who was similarly situated has been released on pre-arrest bail by an Order dated 15th October, 2018 by the co-ordinate Bench of this Court at Nagpur (Coram:- Shri. M.G. Giratkar, J.) and therefore, the Applicant is entitled to claim parity with the same person.

4 The learned APP after perusing the record and taking instructions from the concerned Investigating Officer, fairly conceded to the said fact situation.

5 The observations made in para 3 of the Order dated 15th October, 2018, squarely applicable to the present Applicant and therefore, the Applicant is entitled to be released on pre-arrest bail on the ground of parity. The crime in question has taken place in the year 2009-2010 and the investigation of the present crime is solely based on the documents, which are already in the possession of various Government Authorities.

6 The record indicates that, in pursuance of the directions issued by this Court on 5th October 2018, the Applicant has attended the Investigating Officer and has joined the process of investigation. In view of the above, the interim relief granted by Order dated 5th October, 2018 is hereby confirmed.

However, the Applicant is directed to attend the Investigating Officer as and when called for between 10.00 a.m. and 12.00 noon and to join the process of investigation, upon receipt of a notice in writing from the concerned Investigating Officer, till the submission of final report.

7 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)