

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2169 OF 2017***

Purushottam @ Prashant Shreepad

Vernekar @ Revankar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.P.G.Sarda i/b Mr. Sachin Zalte, for the applicant.

Mr.Ajay Patil,APP, for the State.

CORAM : SMT. SADHANA S.JADHAV, J.

DATE : 17th January, 2018.

P.C. :

1. Heard. This is an application under Section 439 of Cr.P.C. The applicant herein is arrested on 18.1.2015 in Crime No.32 of 2015 registered at Kothrud Police Station, Dist. Pune on 17.1.2015. The investigation is completed and charge-sheet is filed against the applicant for the offences punishable under Sections 363, 364-A, 365 read with Section 34 of the Indian Penal Code.

2. It is the case of the prosecution that the applicant happens to be the son-in-law of Mr. Mohan Lele. On 17.1.2015, the mother-in-law of

the applicant i.e. Meghana Mohan Lele lodged a report at the police station alleging therein that on 17.1.2015, her husband had left the house on a Scooter to go to the Bank. He did not return home. Upon query, it was revealed that the scooter was parked in Bhede Complex and the bag that he had taken was still on the handle of the scooter. She had personally enquired into his whereabouts. Upon enquiry, she was informed by a clerk of the Bank of India that her husband had gone in a white coloured Maruti Car with some person and a black coloured car had followed the said car. The complainant has stated that her daughter Shilpa was married to the present applicant in the year 2003. He used to harass her and ill-treat her. She had also filed a petition against the applicant in the Family Court. Her daughter was staying with her. Initially, her daughter was staying in a flat which was given by the complainant. Since she had started residing with her parents, the applicant was asked to leave the house and therefore he was annoyed with his in-laws. They had filed a case against the present applicant and had succeeded in repossessing the said flat. According to her, she suspected that her husband was abducted by the present applicant. The father-in-law of the present applicant was traced on 18.1.2015. His statement was recorded and he had disclosed that his son-in-law had misled

him. That they had dinner together and thereafter, the present applicant had taken him to Chandrama Apartment at Dhankavdi. There he had abused his father-in-law and confined him. That he had threatened his wife in his presence. On 18.1.2015, he was traced by the Anti-Extortion Branch since they had traced the location on the basis of the phone call made by the applicant.

3. The learned counsel for the applicant has vehemently submitted that in fact the applicant was frustrated with the fact that his wife was not residing with him and he was asked to vacate the flat. According to the learned counsel for the applicant, the applicant had not misled his father-in-law, but had asked him to accompany him and was trying to coerce him to ask his daughter to withdraw the cases. According to the learned counsel, the said episode has been blown out of proportion and the applicant has been in custody for more than 3 years.

4. Taking into consideration the papers of investigation and the submissions advanced across the bar, this Court is of the opinion that the applicant deserves to be enlarged on bail.

5. The observations are prima facie in nature and shall not be taken into consideration for the purpose of quashing of FIR,

discharge application or at the time of trial.

ORDER

- (i) The application is allowed.
- (ii) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- with one of more solvent sureties in the like amount.
- (iii) The applicant shall not tamper with evidence.

The application stands disposed of.

(SMT. SADHANA S.JADHAV, J.)