

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CR. BAIL ANTICIPATORY APPLICATION No. 1930 of 2018

Kushal Chandramoli Jadhav	..Applicant.
Vs	
State of Maharashtra	..Respondent.

Mr. Veerdhaval Kakade, Advocate for the Applicant.

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

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATE : 19TH SEPTEMBER, 2018

P.C:-

1) This is an application under Section 438 of Criminal Procedure Code, filed by the aforesaid applicant for pre-arrest bail, apprehending his arrest in C.R.No. 695 of 2018 registered at Chakan Police Station, District Pune, for offences punishable under sections 353, 341, 326, 332, 333, 324, 323, 143, 144, 145, 147, 148 read with section 149 of the Indian Penal Code.

2) Heard Mr. Kakade, learned counsel for the applicant and Mr. Pednekar, learned APP for the State. Perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3) The aforesaid crime was registered pursuant to the first information report lodged by Prashant Pawar, Assistant Police Inspector, Chakan Police Station. The first information report prima facie indicates that on 30th July, 2017 a Morcha was organized on behalf of Maratha Samaj regarding their demands for reservation. The applicant herein was one of the organizers of the said Morcha. The first information report reveals that several persons had joined the said Morcha. When the members of the Morcha reached Talegaon chowk at Chakan, the organizers addressed the members. The FIR further indicates that members of the said Morcha had turned violent. They pelted stones on police personnel who were on duty. They damaged several buses, fire fighters, Police Vehicles and set them ablaze and caused damage to the tune of Rs.8 to 10 Crores. The persons participating in this Morcha also assaulted a police personnel, Mr. Bhapkar by means of an iron rod.

4) The statements of the witnesses prima facie reveal that the applicant had brought stones and petrol bottles in a tractor-trolley and that he was supplying the same to the members of Morcha who were pelting stones and setting the

vehicles on fire. The material on record thus prima facie indicates that the role of the applicant was not restricted merely to organising the Morcha but he had actively participated in supplying stones and petrol to the members of Morcha. Thus the material on record prima facie indicate that he had aided and facilitated commission of crime. The records prima facie indicate that 23 police persons had sustained injuries and several public vehicles were damaged thereby causing loss to the tune of Rs. 8 to 10 Crores.

5) Considering the above facts and circumstances, in my considered view, this is not a fit case for grant of anticipatory bail. Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)

Radhakishan
Shivdal
Ladda

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