

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

ANTICIPATORY BAIL APPLICATION NO. 2023 OF 2018

Malkesingh Ramsingh Dudhani @ Malkhesingh

Rajusingh Dudhani

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Satyavrat Joshi I/b. Mr. Sumant Deshpande for the applicant.

Mrs. J.S. Lohkare, APP for the State.

Mr. Shrinath S. Kamble, Police Constable, Koregaon Park Police Station, Pune city present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 05th OCTOBER, 2018.

P.C.:

. This is an application for anticipatory bail under section 438 of Criminal Procedure Code, filed by the aforesaid applicant, apprehending his arrest in C.R.No.82/2018 registered with Koregaon Park Police Station, District Pune for offences punishable under sections 184, 186, 323, 332, 353, 504 of the Indian Penal Code.

2. Heard Mr. Satyavrat Joshi, learned counsel for the applicant and Mrs. J.S. Lohkare, APP for the State. I have 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 one Pandurang Pawar, Police Constable attached at traffic cell, Koregaon Park, Pune. The first information report *prima facie* reveals that on 11/08/2018, while the first informant was on traffic duty near Koregaon petrol pump junction, he had seen a vehicle bearing no.MH12-PH-8470 with tinted glasses coming from the north main road. He stopped the vehicle and requested the driver to show driving license and other documents in respect of the vehicle. The first informant claims that the applicant, the driver of the said vehicle did not handover the license and further started arguing with him. The applicant thereafter started the vehicle and proceeded towards the Circuit house.

4. The first informant informed the Police Naik about the incident and instructed him to stop the vehicle. The first informant chased the said vehicle and stopped it near the bridge. The first informant claims that the applicant assaulted and abused him and other police personnel who were present on the spot. He, thereafter, started the car and when Police Constable-Shaikh tried to stop, he gave a dash against the Police

Constable-Shaikh and further sped away from the place of the incident. When said Shaikh tried to chase the car on an Acura, the applicant gave a dash against Acura as a result of which the Police Constable-Shaikh fell down and sustained injuries. The applicant did not stop at the place of the incident and proceeded further.

5. The material on record *prima facie* indicates that the applicant is involved in committing the alleged offence. Mrs. J.S. Lohkare, learned APP has stated that the applicant is a history sheeter. There are as many as 09 cases pending against the applicant. She has given list of the cases, perusal of which *prima facie* indicates that the applicant is involved in serious cases. The details of 09 cases are as follows :-

Sr. No.	Police Station	Crime No.	Offences punishable under sections
1.	Wanwadi Police Station	C.R.No.6010/2015	u/s. 65(D) of Bombay Police Act.
2.	Wanwadi Police Station	C.R.No.69/2012	u/s. 324, 323, 504 r/w. 34 of the Indian Penal Code.
3.	Wanwadi Police Station	C.R.No.118/2016	u/s. 324, 323, 504, 143, 147, 148 r/w. 149 of the Indian Penal Code.
4.	Wanwadi Police Station	C.R.No.08/2017	u/s. 324, 427 r/w. 34 of the Indian Penal Code.
5.	Wanwadi Police Station	C.R.No.591/2017	u/s. 307, 325, 324, 323, 506(2) r/w. 34 of the Indian Penal Code, u/s. 4(25) of Arms Act, u/s. 37(1)(3) r/w. 135 of Bombay Police Act

6.	Wanwadi Police Station	C.R.No.591/2017	u/s. 301 of the Indian Penal Code.
7.	Marketyard Police Station	C.R.No.37/2018	u/s. 306 r/w. 34 of the Indian Penal Code.
8.	Deccan Police Station	C.R.No.217/2018	u/s. 384, 323, 504,506 r/w. 34 of the Indian Penal Code.
9.	Marketyard Police Station	Chapter Case No.17/2017 dated 05/05/2017.	

6. Considering the nature of the allegations as well as criminal antecedents of the applicant, I am not inclined to grant anticipatory bail. Hence, the Application is dismissed.

7. Suffice it to say that the above observations are *prima facie* shall not be construed as an expression of opinion on merits of the matter.

(SMT. ANUJA PRABHUDESSAI, J.)