

Vidya Amin.

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

BAIL APPLICATION NO. 1487 OF 2019

Mrs. Simranjeet Singha Johal	...	Applicant
VS.		
The State of Maharashtra	...	Respondent

**WITH
BAIL APPLICATION NO. 1488 OF 2019**

Vinay Kaurchandra Rana	...	Applicant
VS.		
The State of Maharashtra	...	Respondent

Mr. Samrat Thakkar i/b. Jaideep Thakkar, Advocate for the applicant.

Mr. Prashant Jadhav, APP for the respondent State in BA/1487/2019.,

Mr. A.A. Palkar, APP for the respondent/State in BA/1488/2019.

P.S.I. B.S. Pawar, Kapurbawadi Police Station present in the Court.

**CORAM: REVATI MOHITE DERE, J.
DATED: 4th June, 2019**

P.C. :

Heard learned Counsel for the parties.

2. By these applications, the applicants seek their enlargement on bail in connection with C.R. No. I-111/2019 registered with the Kapurbawdi Police Station, Thane, for the alleged offences punishable under Sections 353, 332, 323, 504, 506 r/w. 34 of

Indian Penal Code and u/s. 110, 112, 117 of the Prevention of Damage to Public Property Act.

3. Perused the papers. According to the complainant P.S.I. Sharda Deshmukh, the incident took place on 24th April, 2019 at about 2.00 a.m. She has stated that she received information from the Society Manager of Lodha Casa Royale, that the applicant-Mrs. Simranjeet Johal was intoxicated, abusing everyone, behaving inappropriately and harassing all the society members as well as the security guards. It is alleged by the complainant that when she arrived at Lodha Casa Royale, she witnessed the applicant-Mrs. Simranjeet Johal screaming at the security guards in filthy language. She was also found to be intoxicated. According to the complainant, when she questioned Mrs. Johal, Mrs. Johal abused her despite the fact, that the complainant was in police uniform. The Applicant-Mrs. Johal is stated to have asked the complainant to mind her own business and threatened to call the media. She stated that she had links with the Commissioner. It is alleged that when the complainant asked the Applicant-Mrs. Johal to accompany her to the police station, she slapped the complainant and kicked and punched her in the presence of the

police staff. It is further alleged that the Applicant-Mrs. Johal's friend, i.e., the applicant-Vinay Rana came there and told the complainant that the lady Mrs. Johal was his girlfriend. The Applicant-Vinay Rana is also stated to have insulted the complainant. Both the applicants were taken to the police station. It is further alleged that in the police station, the Applicant-Mrs. Johal again started abusing and even assaulted the three constables who were explaining to her, and even kicked the complainant. The Applicant-Mrs. Johal also threatened to commit suicide and pass the blame on the complainant; and broke one of the glasses in the police station; smashed the telephone and as such damaged the property of the State. Pursuant to the said incident, the aforesaid complaint was lodged by P.S.I. Sharda Deshmukh as against the Applicants. The applicants have been in custody since 24th April, 2019, i.e., for almost one and half month.

4. Learned APP submits that the statements of witnesses clearly shows that the incident as alleged by the complainant, had taken place.

5. No doubt, prima facie, there is material qua the Applicant-

Mrs. Johal, however, it appears that the applicants have been in custody for more than one and half month. Investigation is almost complete. Statements of witnesses are recorded. Having regard to the same, the Applications are allowed and the applicants are released on bail on the following terms and conditions:

ORDER

- (i) The applicants be released on cash bail in the sum of Rs.50,000/- each for a period of six weeks;
- (ii) The applicants shall, within the said period of six weeks, furnish P.R. Bond in the sum of Rs.50,000/- each, with one or more local sureties in the like amount;
- (iii) The applicants shall attend the concerned police station on every Monday between 10.00 a.m. to 11.00 a.m. till the filing of the charge sheet ;
- (iv) The applicants shall inform their latest place of residence and mobile contact numbers immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned

Police station, in writing;

- (v) The applicants shall not tamper with the evidence or attempt to intimidate/influence/contact the complainant, witnesses or any person concerned with the case;
- (vi) The applicants shall cooperate in the conduct of the trial.
- (vii) An undertaking to the aforesaid clauses (iii) to (vi) shall be filed by the applicants, in the Registry of the trial Court, within to weeks of his release;
- (viii) It is made clear, that if there is breach of any of the conditions as stated above the prosecution shall be at liberty to seek cancellation of applicants' bail;

6. The Applications are allowed and disposed of in above terms.

7. It is made clear, that the observations made herein are prima facie and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the

observations made herein.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)