

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1788 OF 2019

Sunil Tembugade .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Shyam Kumar Marwah i/b. Mr. Faisal Sayyed, Mr. Varun Thokal
i/b. Manilal Kher Ambalal & Co., Advocate, for the Applicant
Mr. A. A. Palkar, APP, for the Respondent – State
Mr. Shirke, PSI, MHB Colony Police Station, Mumbai present

CORAM : REVATI MOHITE DERE, J.

DATE : 20.08.2019

P.C.

. Heard learned counsel for the Applicant.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C. R. No. 234 of 2019 registered with the MHB Colony Police Station, Mumbai, for the alleged offences punishable under Sections 509, 452 r/w 34 of the Indian Penal Code.

3. Learned counsel for the Applicant submits that the Applicant is working with Bajaj Finance as an Assistant Manager. He submitted that the Applicant had gone to the Complainant's house for

recovery of a personal loan i. e. Rs. 93,00,000/- taken by the Complainant's husband. He submits that the allegations as against the Applicant are false and baseless and that the Applicant did not use objectionable language or threaten the Complainant as alleged. Learned counsel for the Applicant has tendered an Affidavit of the Applicant stating that he had not entered the residence or used filthy language as alleged in the FIR, however, undertakes not to enter the residence of any customers or use any filthy language. He has also undertaken not to enter the residence of the customers when the lady members are alone at home, in connection with recovery of outstanding loan amounts from the customers on behalf of the Finance Company.

4. Having regard to what is stated aforesaid, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 10,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station on **26th & 27th August, 2019** between

10.00 a. m. and 12.00 noon and thereafter, **as & when called for** by the investigating officer;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and are confined to this Application.

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

(REVATI MOHITE DERE, J.)