

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

ANTICIPATORY BAIL APPLICATION NO. 2051 OF 2019

Mrs. Sunanda Eknath Shete and Ors.	 Applicants
Versus	
The State of Maharashtra & Anr.	 Respondents

Mr. Ganesh Gole i/b. Balvant W. Kakade, Advocate for Applicants.
Smt. S. S. Kaushik, APP for the State/Respondent.
Mr. D. M. Darade, API, Rajgad Police Station, present.

CORAM : SARANG V. KOTWAL, J.
DATE : 20th SEPTEMBER, 2019

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No. 255 of 2019 registered with Rajgad Police Station, under sections 395, 323, 504 and 506 of the Indian Penal Code.
2. The FIR is lodged by one Suresh Pangare on 13/07/2019. He has stated that he has land bearing Gut No.661 and one Eknath Shete has adjacent land bearing Gut No.675. There was long standing dispute between the informant and

Eknath Shete. About three days prior to the incident, one tree fell from the land of the informant i.e. from Gut No.661 in the land of Eknath's Gut No.675. Because of that some electric wires were broken and disconnected. From 11/07/2019 to 13/07/2019 the informant along with one Kalyan Sangle and his workers were cutting the branches of the tree, so that there should be no further risk from the live electric wires. It is alleged that Eknath Shete and his wife Sunanda (Applicant No.1) alongwith other family members including other two applicants came there and started abusing the informant. Somebody took away the cutter forcefully. Kalyan Sangle was assaulted by Eknath. On this basis, the FIR is lodged.

3. Heard Mr. Ganesh Gole, learned counsel for the applicants and Smt. S. S. Kaushik, learned APP for the State/Respondent.

4. Learned counsel for the applicants submitted that the applicant's family has filed civil dispute against the informant's family and, therefore, all the family members are falsely implicated in the case. He submitted that there was no necessity of custodial interrogation of the applicants. Learned APP fairly concedes, on

instructions, that Investigating agency does not want to arrest the applicants for their interrogation.

5. I have considered these submissions. The applicants are ladies. There is long standing dispute between the family of Eknath Shete and the informant. The allegations against the applicants are not serious. Therefore, the custodial interrogation of the applicants is not necessary. Taking into consideration the statement made by learned APP, applicants are protected by the order of anticipatory bail.

6. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R. No. 255 of 2019 registered with Rajgad Police Station, the applicants is directed to be released on bail on their furnishing PR bonds in the sum of Rs.25,000/- each (Rupees Twenty Five Thousand each Only) with one or two sureties each in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)