

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.493 OF 2020

Tushar Basvraj Kalshetty

Applicant

versus

The State of Maharashtra

Respondent

Mr.Chetan Alai for applicant.

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

CORAM : PRAKASH D. NAIK, J.

DATE : 27th February 2020

PC :

1. This is an application for anticipatory bail in CR No.545 of 2019 registered with Sahkarnagar Police Station, Pune, on 26th November 2019 under Sections 395, 341, 394, 504 r/w 34 of Indian Penal Code.

2. The first informant has alleged that he was returning along with his brother to his residence by tempo on 25th November 2019 at about 11.30 pm. Four persons came on two motorcycles near Purohit Super Market, Dhankavadi and obstructed them. They started quarrel with brother of complainant. The informant tried to intervene. At that time they threw stone towards the informant and his brother and took away cash of Rs.1.65 lakh from the informant's brother and Rs.4,000/- from the informant.

3. Four persons were arrested. Investigation proceeded. The statement of witnesses were recorded. On completing investigation charge sheet was filed against the arrested accused. The applicant

had preferred application before Sessions Court seeking anticipatory bail and he was initially granted interim protection by order dated 28th November 2019 and subsequently the application has been rejected on 24th December 2019.

4. Learned APP fairly pointed out the charge sheet filed against the co-accused who were arrested. The charge in the summarized charge sheet states that on completing investigation after recording statement of witnesses, the charge sheet is filed against accused for offences u/s 324, 341, 323, 143, 147, 148, 149 and 504 of IPC. The charge u/s 394 of IPC invoked in the FIR is apparently dropped.

5. The applicant is apprehending arrest. The charge sheet is filed against arrested co-accused in respect to the aforesaid offences. Considering the aforesaid circumstances, protection can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) Criminal Anticipatory Bail Application No.493 of 2020 is allowed and disposed of;
- (ii) In the event of arrest of applicant in connection with CR No.545 of 2019 registered with Sahkarnagar Police Station, Pune, the applicant be released on bail on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report the Investigating Officer on 5th and 6th March 2020 between 11 am and 1 pm.

(PRAKASH D. NAIK, J.)