

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

ANTICIPATORY BAIL APPLICATION NO. 19 OF 2021

Bhimashankar Sharnappa Supekar Applicant

Versus

The State of Maharashtra Respondent

Mr. Rahul B. Vijaymane for Applicant.

Ms. P. N. Dabholkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 11th JANUARY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.1148 of 2020 registered with Faujdar Chawadi police station, Solapur, under sections 420, 109, 269 and 336 of the Indian Penal Code (for short 'IPC'), Section 51(B) of Disaster Management Act, 2005, Ssection 3 of Epidemic Disease Act, 1897 and Sections 4 and 5 of the Maharashtra Gambling Act.

2. Heard Shri. Rahul Vijaymane, learned counsel for the applicant and Ms. Pallavi Dabholkar, learned APP for the State.

3. The allegations in the First Information Report (for short 'F.I.R.') are that, on prior information the police party raided first floor of Pearl Heights Apartment, Avanti Nagar, Solapur. It was found that the accused present in that flat were taking bets on IPL cricket matches. One Vignesh Gajul and Chetan Vannal were found in that flat. They were making entries in their register and they were taking bets. The entries showed that bets for different purposes in respect of those matches were taken. They were arrested. The F.I.R. mentions that, they were conducting these activities with their accomplices Rajesh Kurapatti and Atul Shetty. The allegations against the present applicant are that the flat where those activities were going on was belonging to him.

4. The learned counsel for the applicant submitted that he was not aware about the activities going on in the said flat. The flat was owned by his wife and those activities were conducted without their knowledge.

5. The learned APP submitted that the Rent Agreement regarding that flat was not available and, therefore, this flat was illegally handed over to the persons who have committed this

offence.

REASONS:

6. The F.I.R. itself mentions that the accused Chetan was asked by the police officers regarding these activities. At that time, he had categorically named accused Vignesh Gajul, Rajesh Kurappati, Atul Shetty and Pradip Karanje who were involved in this offence. He has not referred to the role played by the applicant or has not stated that the applicant was aware of the activities. The investigating agency could not point out any circumstances which could show that the applicant was aware of the activities conducted in that flat. The main lapse on his part appears to be that he had not taken care of getting the rent agreement registered with the authority. In any case, the flat does not stand in his name. Therefore, the investigating agency had to show his direct involvement. At this stage, there does not appear to be any material against the applicant. The investigation is in progress. The applicant will have to co-operate with the investigation. However, the applicant has made out a case for protection of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.1148 of 2020 registered with Faujdar Chawadi police station, Solapur, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) The applicant shall attend the concerned police station as and when called and he shall co-operate with the investigation.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)