

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.11 OF 2020

Ali Azgar Plumber

Applicant

versus

The State of Maharashtra

Respondent

None present for applicant.

Mr.S.R.Agarkar, APP, for State.

PSI Warungase, L.T.Marg Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 18<sup>th</sup> September 2021

PC :

1. The applicant is apprehending arrest in CR No.531 of 2019 registered with L.T.Marg Police Station for offences under Sections 138 and 150 of Electricity Act, 2003.

2. The case of prosecution is that Vigilance Department has inspected the premises of one Malji and it was noticed that electricity meter was tampered. The said meter was running slow as a result of which loss was caused to BEST as the correct number of electricity units consumed was not recorded. Inquiries were made with Malji and his brother. The meter was sealed and taken for inspection. It was found that the meter was tampered. The electricity worth Rs.10,55,061/- was consumed. Malji paid part payment on 7-6-2019. Mr.Malji then filed complaint against applicant about tampering of meter on accepting certain payments.

3. The contention of the applicant is that he has been falsely impleaded in this case. The applicant has co-operated with the

investigation. Custodial interrogation of the applicant is not necessary. The electricity meter was in possession of person who was consuming electricity.

4. Learned APP submitted that investigation had proceeded and charge sheet will be filed shortly. The applicant be directed to appear before the Investigating Officer for investigation. In view of the above, the applicant need not be subjected to custodial interrogation. He can be directed to appear before Investigating Officer and co-operate with investigation. Hence, I pass following order :

#### **ORDER**

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) In the event of arrest of applicant in CR No. 531 of 2019 registered with L.T.Marg Police Station, Mumbai, the applicant be released on bail on his executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall appear before the Investigating Officer on 27, 28 and 29 September 2021 between 11 am and 1 pm and thereafter as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST