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

ANTICIPATORY BAIL APPLICATION NO.113 OF 2020

BHAGWAN S. ADHEKAR .. APPLICANT
VS.

THE STATE OF MAHARASHTRA .. RESPONDENT

**WITH
INTERIM APPLICATION NO.1151 OF 2020
IN
ANTICIPATORY BAIL APPLICATION NO.113 OF 2020**

PRABHAVATI BHIMRAJ OVHAL .. APPLICANT

IN THE MATTER BETWEEN

BHAGWAN S. ADHEKAR .. APPLICANT
VS.

THE STATE OF MAHARASHTRA .. RESPONDENT

Mr. Vishwajeet V. Mohite for the Applicant.
Smt. P.N. Dabholkar, APP for the State.

Smt. Chaya Kamble, API, I.O., Pune Railway Police Station.

CORAM : M.S.KARNIK, J.

DATE : OCTOBER 30, 2021

P.C.:-

This is an application for pre-arrest bail for the offence registered with Pune Lohomarg Police Station, Pune being C.R. No.1347 of 2019 under Section 306 of the Indian Penal Code, 1860.

2. This Court by an order dated 20.01.2020 while granting interim protection to the Applicant in paragraph 2 had observed thus :-

"2. The FIR was lodged on 14th November 2019 in respect to the incident dated 4th November 2019. The complaint is lodged by wife of the deceased who was employed in Railways. It is alleged that the applicant used to harass the deceased. On the date of incident the complainant had received a call from one Waghmare stating that her husband is likely to commit suicide. On the same day the deceased committed suicide. On 11th November 2019 it was noticed that a chit was lying in the bag which was handed over to the applicant by some unknown person. On the said chit it was mentioned that the deceased was harassed by applicant as he was belonging to lower caste and that he was threatened by the applicant. He has also brought goons to assault him. Apparently the date reflected on the chit was 4th October 2019. The incident had occurred on 4th November 2019."

3. Learned APP on instructions submits that the provisions of SC and ST (Prevention of Atrocities) Act are not invoked in this case. It is submitted that the Applicant has co-operated with the investigation and the chargesheet is ready to be filed before the appropriate Court. Learned APP on instructions of the Investigating Officer, who is present in the Court, submits that as the Applicant has co-operated with the investigation, his custody is not required.

Considering the facts of the present case, the Application deserved to be allowed.

4. Hence, the following order :-

ORDER

(i) Interim order passed by this Court on 20.01.2020 stands confirmed.

(ii) In the event of arrest of the Applicant in connection with C.R. No.1347 of 2019 registered with Pune Lohomarg Police Station, Pune, he may 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 to the Investigating Officer as and when called for till the filing of the chargesheet.

5. The Anticipatory Bail Application is disposed of.

6. In view of the disposal of the Anticipatory Bail Application, nothing survives for consideration in the Interim Application. The Interim Application is disposed of accordingly.

(M.S. KARNIK, J.)