

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.888 OF 2021**

Sujit Kiran Gujar ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. A.P. Mundargi, Senior Counsel i/b. Mr. Shashank P. Borade,
Advocate for the Applicant.

Mr. K.V. Saste, APP for the Respondent - State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 26th APRIL 2021.

PC. : Through video conference

1. Heard the learned counsel for the applicant and the learned APP for the Respondent – State.
2. This is an application under section 439 of Code of Criminal Procedure, 1973. The applicant is arrested on 15th November 2019 in Crime No.203 of 2019 registered at Pune City Market Yard Police Station for the offences punishable under sections 363, 364(A), 386, 387 r/w 34 of Indian Penal Code. Investigation is completed and charge sheet is filed.
3. It is the case of the prosecution that on 14th November 2019 one Mahesh Kantilal Ganatra lodged a report at the Police

Station alleging therein that on that day at about 9.50 pm, he received a phone call from an unknown person who informed him that his father has been abducted by them. There was a demand of Rs.2 Crores at about 10.59 pm on the same day. He has also given cell phone numbers from which he has received the said call. According to him, he had arranged for Rs.1,50,00,000/- and had also informed the Police about the same. That, on 15th November 2019, the complainant had reached the spot which was specified by the abductor. He had left the amount at a particular place. The Police had also seen that two boys who had concealed their faces had been to the spot and had picked up a bag from Chandni Chowk, Kothrud. The said boys were apprehended by the Police. The victim Kantilal Ganatra was released on Pune Satara Road at Khed Shivapur toll plaza. It is alleged by the prosecution that the present applicant along with Omkar Valhekar received the amount of extortion from the spot. The amount that was paid as ransom was found in the custody of Amit Jagtap who has been enlarged on bail. In the present case, the only material against the present applicant is that Aadhar Card of the victim Kantilal Ganatra was recovered from the present applicant. It is pertinent to note that Ajay Sable, Omkar Valhekar and Amit Jagtap are enlarged on bail. In fact, an amount of

Rs.1,46 Lakhs was recovered from the car of Amit Jagtap. The gold chain adorned by the victim was also recovered from Amit Jagtap and Akshay Kasbe. The fact that Omkar Valhekar has been released on bail, present applicant by virtue of doctrine of parity, deserves to be enlarged on bail. Investigation is completed, charge-sheet is filed and the applicant is in custody for more than 1½ year. The learned APP submits that there are no criminal antecedents against the applicant and that there are criminal antecedents only against Akshay Kasbe. Hence, further incarceration is unwarranted. Applicant deserves to be enlarged on bail. Hence, the following order :-

ORDER

- (i) Application is allowed;
- (ii) Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- and one or more solvent sureties in the like amount;
- (iii) Applicant shall not tamper with the evidence;
- (iv) Application is disposed of on above terms;
- (v) Parties to act upon an authenticated copy of this order.

(SMT. SADHANA S. JADHAV, J)