

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.655 OF 2021

Santosh Prabhakar Sawant

Applicant

versus

The State of Maharashtra

Respondent

Mr.Shantanu Phanse with Parth P.Shah for applicant.

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

CORAM : PRAKASH D. NAIK, J.

DATE : 31st March 2021

PC :

1. Not on board. Taken on board.
2. This is an application for anticipatory bail in connection with CR No.68 of 2020 registered on 8th February 2021 with Sinhagad Road Police Station, Pune City, Pune, for the offences punishable under Sections 406, 417, 419, 120-B and 506(2) r/w 34 of Indian Penal Code and Sections 3 and 4 of MPID Act.
3. Undisputedly the applicant was not involved in the alleged transaction. Complainant has alleged that the applicant was introduced by the co-accused as a person from police department and that the applicant had threatened the complainant.
4. It is submitted that the applicant was not present at the place of incident. He was on duty. The complainant then changed the version about time of incident.

5. Learned APP disputes the submission of applicant that he was not present at the place of incident and he was at some other place. It is submitted that his presence is established by tower location.

6. The applicant was not involved in the primary offence under the provisions of MPID Act. In the circumstances, custodial interrogation of the applicant is not necessary. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) Interim order dated 12th March 2021 is confirmed;
- (iii) In the event of arrest of applicant in connection with CR No.68 of 2020 registered with Sinhagad Road Police Station, Pune City, Pune, the applicant be released on bail on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iv) The applicant shall appear before the investigating officer as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST