

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1635 OF 2021**

Atish Arun Awale .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Shubham Kanade i/b Mr.Umesh Mankapure for the Applicant.

Mr.Ajay Patil, APP for the State.

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CORAM: BHARATI DANGRE, J.

DATED : 17th JULY, 2021

P.C:-

1. The applicant is apprehending his arrest in C.R.No.123 of 2021 registered with MIDC Police Station, Sangli, which invokes the offence punishable under Sections 353, 504 and 506 of the IPC.

The applicant claimed to be a Journalist and is working for a YouTube News Channel captioned as "Tee Cha Jaagar". The submission of the applicant is that the said channel has projected various news relating to Covid-19 and has brought reality before the general public and, therefore, he is falsely implicated in the present crime.

2. The complaint is filed by the complainant, who is working as Village Development Officer, Grampanchayat Madhav Nagar,

Sangli and the incident narrated is of 01/06/2021 occurred at 1.30 p.m.. The narration is to the effect that the complainant was present in the quarantine centre arranged in the Sanjay Industries, Madhav Nagar, Sangli and he was present there alongwith the Disaster Management Committee's members and the sarpanch as well as upsarpanch and was dealing with the administrative responsibilities. It is alleged that the applicant arrived there, without any cause and he started hurling abuses verbally and uttered that he would disclose as to what is happening in the said quarantine centre, when some issue had ensued about serving of food to the patients quarantined in the said premises. This prompted the complainant to lodge the FIR, invoking aforesaid sections.

3. *Prima facie*, when the FIR is perused, it is conspicuously silent about any assault or criminal force, being used to deter the public servant from discharge of duty. The allegation is that the applicant hurled some abuses and threatened on the pretext that he will telecast the recording of the quarantine centre on his channel.

Though the learned counsel for the applicant deny the allegations levelled about any assault or criminal force being used, for the allegations which are levelled, he tender his apologies and on his own volition, make a statement that he would deposit an amount of Rs.25,000/- by way of assistance to the Covid Relief, in the office of the Grampanchayat, Madhav Nagar, Sangli, which shall be put to use for offering treatment or vaccination to the Covid patients. The said statement is accepted as an undertaking given to the Court.

4. In the backdrop of the allegations narrated in the complaint, custodial interrogation of the applicant is not warranted. He is, therefore, entitled to be released on bail, in the event of his arrest.

: ORDER :

- (a) Application is allowed.
- (b) In the event of arrest in C.R.No.123 of 2021 registered with MIDC Police Station, Sangli, applicant- Atish Arun Awale shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (c) The applicant shall report to the concerned police station as and when called for.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with the prosecution evidence.
- (e) The applicant shall deposit the costs of Rs.25,000/- in the office of the Grampanchayat, Madhav Nagar, Sangli within a period of one week from today and tender the receipt thereof to the Investigating Officer.

SMT. BHARATI DANGRE, J