

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1687 of 2021

Ajit Ravindra Dewale

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr.Rahul S. Kadam for the applicant.

Mr.S.H. Yadav, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 27th JULY 2021

P.C:-

1 The applicant is apprehending arrest in C.R.No. 377 of 2021 registered with Sangola Gramin Police station on 16th April 2021. The said C.R invoke Sections 353, 504, 506 of IPC and Section 3 of Prevention of Damage to the Public Property Act 1984.

2 The complainant is the Branch Officer of the Bank of India, Mahud, who report that on 16th April 2021, the Bank carried out its activities throughout the day. However, on account of the prevailing SOP, the Bank was required to close its function at 4 O'clock and therefore, the main glass shutter of the Bank was pulled down and those customers who were present inside were

permitted to remain inside and their transactions were being effected. Around 4.10 p.m, one person gained entry from the main shutter and started banging the glass door. When the Peon of the Bank was sent for inquiring what the matter was and when he was apprised that the Bank hours are over and he cannot gain an entry into the Bank, he hurled abuses at the said Peon and continued banging the glass door. The complainant came outside and attempted to pacify the said person by informing that his work will be done tomorrow. However, he did not desist himself and continued with his banging and broke the glass door worth Rs.25,000/-. The said person who indulged in the aforesaid act is the Applicant.

Learned counsel Mr.Kadam fairly state that the act committed by the applicant is unpardonable and he can just feel sorry for the outrageous conduct but he also submit that he was in dire need of money for treating his own aunt and therefore, he had rushed to the Bank unaware that the timings of the Bank are till 4.00 p.m, and that is how the incident had occurred. He had no intention in any manner to commit any offence, nonetheless, deter the complainant from discharging his duty.

3 For the aforesaid act, learned counsel Mr.Kadam make a statement on telephonic instructions from the applicant that he is ready to contribute an amount of Rs.10,000/- with the Chief Minister Relief Fund for dealing with the COVID

PANDEMIC and this is a small token for expressing his regret. The said statement is accepted as an undertaking in this Court and would be abided by within a period of two weeks from today. On the amount being deposited, a receipt be tendered to the Investigating Officer.

4 In the wake of the allegations levelled, the custodial interrogation of the applicant is unwarranted. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Ajit Ravindra Dewale in connection with C.R.No. 377 registered with Sangola Police Station shall be released on bail on furnishing P.R. bond to the extent of Rs.20,000/- with one or two sureties of the like amount.
- (b) He 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 should not tamper with evidence.
- (c) The Applicant shall make himself available as and when required by the Investigating Officer.

(d) The applicant shall deposit the amount within a period of two weeks from today and tender a receipt of the amount deposited to the Investigating Officer.

5 The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J