

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1684 OF 2021

Sambhaji K. Sapkale

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Ravindra S. Pachundkar with Mr.Sopan Patil for the applicant.

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

Mr.Kuldeep Pawar for the Intervenor.

Mr.V.S. Gaikwad, API from Chakan police station present.

CORAM: BHARATI DANGRE, J.

DATED : 24th AUGUST, 2021

P.C:-

1 Heard learned counsel for the intervenor who has taken out the Interim Application St.No. 12777/21.

2 The applicant is already admitted to interim protection in the wake of the accusations faced by him. Pertinent to note that the complaint is preferred, on noticing shortage of diesel from April 2019 to April 2021 and it is alleged that the tank which was filled up contained more than the permitted capacity and therefore, the allegation is that a conspiracy was hatched and a loss of Rs.38,77,699/- is caused to the complainant.

Tilak

3 When the learned APP is asked about the material that was collected during the course of investigation, he place reliance on singular statement of one person who is alleged to have stated that he has purchased Diesel from the present applicant on 5 to 6 occasions. There are no details about when he has purchased, how much he has purchased and how much money he has paid. He has not even specified the period during which he purchased the said Diesel. The said solitary statement which is vague and do not contain any such details, do not fructify the accusations.

4 Noting that the accusations are faced for a period of two years and particularly when it was noted that the applicant was employed with the complainant for last 11 years when there were no allegations made against him, in my considered opinion, the interim order in favour of the applicant deserves to be confirmed since the progress of the investigation do not warrant any custodial interrogation. The applicant shall continue to render his co-operation and report to the police station on every Thursday for a further period of four weeks and thereafter as and when called for.

5 The order dated 19th July 2021 is made absolute in the aforesaid terms.

SMT. BHARATI DANGRE, J