

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1096 OF 2020**

Amanraj Singh Bindra

... Applicant

Versus

The State of Maharashtra

... Respondent

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Mr. Niranjan Mundargi i/b. Mr. Vishal Laxman Kolekar and Mr. Randhir Ankush Kale, Advocate for the Applicant.

Mr. A. R. Kapadnis, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, J.**

**DATE : 20<sup>th</sup> JANUARY, 2021.**

**PER COURT:**

1. This is an application for anticipatory bail in C.R. No. 392 of 2020 registered with Wadala Truck Terminal Police Station, Mumbai for offences under Sections 285, 336, 420 & 34 of Indian Penal Code r/w Section 3, 7 & 8 of Essential Commodities Act, 1955.

2. The First Information Report (for short “FIR”) was registered on 2<sup>nd</sup> December, 2020. It is alleged that information was received by some persons are selling diesel and Dashmesh Service Center illegally without permission. Raid was conducted. It was found that the persons were selling diesel to bus owner. Three persons were present at the place of incident. Subsequently, they

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have been granted bail.

3. Learned counsel for the applicant submitted that the applicant has no way connected with Dashmesh Service Center. He is not partner in the said business. He was not present at the scene of offence. The liquid which was allegedly found at the place of incident was not diesel but it was mineral hydro carbon oil. It is permissible to store such chemical to the extent of 25,000 liters.

4. Learned APP submitted that applicant had purchased the said Mineral Hydro Carbon Oil from the company situated at Nashik. The involvement of the applicant is disclosed during the course of investigation.

5. It is apparent that the receipt of purchase of the said Mineral Hydro Carbon Oil is stands in the name of Dashmesh C.N.G. Impex Pvt. Ltd. Thus, undisputedly what is found with Dashmesh C.N.G. Impex Pvt. Ltd. is not diesel. Learned APP however contended that for what purpose chemical was purchased and to whom it was sold is important factor. Undisputedly, three persons were present at the place of incident. It was sold to customers as diesel and they were cheated. They were arrested. They were subjected to custody and subsequently granted bail. In view of these circumstances, custodial interrogation of the applicant is not necessary. Hence, I

pass following order :

**ORDER**

(i) Anticipatory Bail Application No.1096 of 2020 is allowed;

(ii) In the event of arrest of the applicant in connection with in C.R. No. C.R. No. 392 of 2020 registered with Wadala Truck Terminal Police Station, Mumbai, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The applicant shall report the investigating officer on 28<sup>th</sup> , 29<sup>th</sup> January, 2021 between 11.00 a.m. to 1.00 noon and thereafter, as and when called for.

(iv) Anticipatory Bail Application stands disposed of accordingly.

6. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**(PRAKASH D. NAIK, J.)**