

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

**CRIMINAL BAIL APPLICATION NO.1693 OF 2019**

Sunil Sadashiv Kulkarni

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. S. G. Rajput a/w Mr. Ashish Rajput, Advocate for the Applicant.

Ms. Prajakta P. Shinde, APP for the Respondent - State.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : 30<sup>th</sup> OCTOBER, 2021**

**PC.**

1. The applicant came to be arrested on 20.04.2017 in Crime No. 16 of 2017 (C.C. No.549 of 2017) registered with Malad Police Station for the offence punishable under Sections 292, 419, 420, 465, 467, 468 of IPC r/w Sections 67, 67A of the Information Technology Act, 2008 and already charge-sheeted.

2. The prosecution case against the applicant is providing obscene objects to the young persons, cheating, forgery and offence under the IT Act.

3. Heard.

4. Having perused the entire charge-sheet, I am of the view that the applicant has sufficiently incarcerated since 20.04.2017 i.e. from the date of his arrest. From last more than four and half years applicant is behind the bars without trial being concluded and the same is not likely to be concluded in the recent future.

5. Though learned APP has claimed that there are criminal antecedents. However, it appears that the said antecedents are strange and cannot be clubbed with the facts of the present case on the issue of similarity.

6. The maximum punishment provided for the offence i.e. forgery is ten years.

7. This Court is sensitive of the fact that the applicant is already released on bail in view of pandemic.

8. In the aforesaid background, in my opinion, case for grant of bail is made out.

9. Applicant shall be released on bail in Crime No. 16 of 2017 (C.C. No.549 of 2017) registered with Malad Police Station for the offence punishable under Sections 292, 419, 420, 465, 467, 468 of IPC r/w Sections 67, 67A of the Information Technology Act, 2008 on furnishing P. R. bond of Rs.25,000/- with one or more sureties in the like amount. Applicant shall neither influence the witnesses in any manner nor tamper with the evidence. Applicant shall attend the trial regularly. If not, Trial Court shall be at liberty to take out proceedings for cancellation of bail.

10. Application stands disposed of.

[NITIN W. SAMBRE, J.]