

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2336 OF 2021**

Kalidas Parmeshwar Zogde	... Applicant
Versus	
The State of Maharashtra	... Respondent

Mr. D. D. Rananaware, for the Applicant.

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

Mr. Gaurav Deo, PSI, attached to Bharti Vidyapeeth, Pune City present.

CORAM : V. G. BISHT, J.

DATE : 17th November, 2021.

PC:

The applicant is seeking Anticipatory Bail in connection with C.R. No.519 of 2021 registered with Bharti Vidyapeeth Police Station, District-Pune , for the offences punishable under Sections 307, 143, 147, 149 of the Indian Penal Code, under Section 4(25) of the Arms Act and under Section 37(1)(3) r/w 135 of the Maharashtra Police Act.

2 The prosecution alleges that as a sequel to the earlier dispute which had taken place 25 days before the date of incident, the informant and friends were assaulted by accused Pratik Sarode along with 8-10

unknown persons by means of sickle and wooden sticks. Informant accordingly lodged the report.

3 Mr. Rananaware, learned Counsel for the applicant, submits that on the day of earlier incident, the applicant was employee of Robust Corporation as a Marketing Executive and was on duty in office which is situated near Katraj Pune. This fact was also submitted before this Court (Coram:Revati Mohite Dere, J.) on 07/10/2021 when the present application came up for hearing and that Court was pleased to extend the ad-interim protection in favour on the applicant. The Court was also pleased to direct learned APP to seek instructions and also to look into the aspect i.e. whether the applicant was at the spot or was elsewhere, at the time of incident.

4 Heard learned APP. Learned APP fairly submits that on the date of incident it has been revealed during the course of investigation that applicant was not present on the spot of incident and therefore, appropriate order may be passed.

5 In view of above, the present application deserves to be allowed. Hence, the following order.

ORDER

- (i) Application is allowed.
- (ii) Ad-interim protection granted by this Court on 7th October, 2021 is confirmed and made absolute.
- (iii) Application stands disposed of accordingly.

(V. G. BISHT, J.)