

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2416 OF 2021**

Dhareppa s/o. Sanganna Arwat	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Ms. Vilasini Subramaniam i/b Mr. Ramdas Hake-Patil, for the Applicant.
Ms. Anamika Malhotra, APP, for the State-Respondent.

CORAM : V. G. BISHT, J.

DATE : 17th November, 2021.

PC:

The applicant is seeking Anticipatory Bail in connection with C.R. No. 413 of 2021 registered with Vijapur Naka Police Station, District-Solapur, for the offences punishable under Sections 420, 465, 468, 471 r/w 34 of the Indian Penal Code and under Sections 119, 177, 184 of the Motor Vehicle Act.

2 The allegation of the prosecution is that one Anil Mahadev Kale, driver of truck No. MH-13/DQ-0909 at the instance of applicant was driving the said truck without proper documents and had in fact used

the registration number of another truck pretending it to be correct registration number of vehicle. The FIR accordingly came to be lodged.

3 Heard learned Counsel for the applicant and learned APP.

4 On going through the record, it appears that this Court (Coram: Revati Mohite Dere, J.) while granting ad-interim protection on 6th October, 2021 took into consideration of affidavit of one Laxman Shamrao Gund, who was the true owner of the vehicle in question. The said truck owner narrated in his affidavit that as he was not able to maintain his truck, he had given said truck to the applicant bearing registration No. MH-13/DQ-0909 and it was the applicant who was looking after the maintenance and business of the said truck. He further stated that he has no complaint or grievance against the applicant. Since as the applicant showed his readiness to produce the RC book and other necessary documents before the concerned police station, this Court found that the custodial interrogation of the applicant was not necessary and accordingly ad-interim protection was extended in favour of the applicant.

5 During the course of submission, learned APP submitted that

pursuant to the above order the applicant has furnished all the necessary documents to the investigation officer and thus, there is no necessity of the custodial interrogation. This being so, I am inclined to allow the application.

6 In view of above, I pass the following order.

ORDER

- (i) Application is allowed.
- (ii) Ad-interim protection granted by this Court on 6th October, 2021 is confirmed and made absolute.
- (iii) Application stands disposed of accordingly.

REKHA
PRAKASH
PATIL

(V. G. BISHT, J.)

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by REKHA
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Date: 2021.11.18
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