

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1502 OF 2019

Shubham Dhanaji Pawar

.....Appellant

Versus

State of Maharashtra & Anr.

.....Respondents

.....

Mr. Prashant S. Hagare for the Appellant.

Mr. A. D. Khamkhedkar, APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE, J.

DATE : 17th SEPTEMBER 2021

P. C. :

1. Heard.

2. It is an appeal under Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989. The Appellant seeks his enlargement on bail in connection with C. R. No. 646 of 2019, registered with Lonikand Police Station, Tal-Haveli, Dist- Pune, for the offences punishable under Sections 354 C of the Indian Penal Code, Section 67(A) of the Information Technology Act and Sections 3(1) (w) (ii), 3(1) (2)(s), 3(2) of the Scheduled Castes and Scheduled Tribes Act.

3. On a complaint of Respondent No. 2, the crime in question came to be registered on 9th July, 2019, and Applicant was arrested on the same day. The punishment for the offences registered against the Applicant is maximum five years, and fine. The Applicant has been incarcerated since

9th July, 2019 i.e. almost two years and two months. The final report has been filed and therefore the further custody of the Applicant is not required.

4. At a material time, the Applicant was 21 year old. It may be stated that though the notice was issued to the Respondent and informed her about the bail application preferred by the Applicant, the Complainant did not cause her appearance in this proceedings. Copy of the intimation posted to her by the Sub-Divisional Officer, Haveli Division, District- Pune is taken on record and marked "X" for identification. In considering of the facts stated above, appeal is allowed.

ORDER

- (a) The Applicant is arrested in Crime No. 646 of 2019 registered with Lonikand Police Station, Tal-Haveli, District-Pune shall be released on bail on furnishing P.R bond in the sum of Rs.20,000/- with one or more sureties in the like sum;
- (b) The Applicant shall report to the Investigating Officer of the concerned Police Station once in the month i.e. Second Monday of the each month between 11:00 a.m. to 01:00 p.m. till further orders and co-operate in the investigation.
- (c) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- (d) The Applicant shall furnish his permanent residential address and

contact number to the Investigating Officer forthwith within a week of his release from jail.

5. The application is accordingly allowed and disposed of.
6. It is made clear that, observations made hereinabove, shall be construed as expression of opinion for the purpose of granting bail only and the same shall not, in any way, influence the trial in other proceedings.

[SANDEEP K. SHINDE, J.]