

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

ANTICIPATORY BAIL APPLICATION NO.1009 OF 2020

Suresh Hari Chaughule

Age 25 yrs, Occ: Service

R/o: Saibaba Chowk, Solapur,

District- Solapur.

.... Applicant.

Versus

The State of Maharashtra

(Through Jail Road Police Station

vide C.R. No.1258/2020

.... Respondent.

...

Mr Ritesh M. Thobde, Advocate for the Applicant.

Mr V.B.Konde Deshmukh, APP for the State.

...

CORAM : R. N. LADDHA, J.

DATE :16 DECEMBER 2022.

P.C.:

In this application, the Applicant has approached this Court seeking anticipatory bail in connection with an FIR bearing C.R.No.1258/2020 registered against him at Jail Road Police Station, District Solapur for the offences punishable under Sections 323, 387, 452, 504, 506 r/w Section 34 of the Indian Penal Code and Sections 39 and 45 of the Maharashtra Money Lending Act.

2. On 17.12.2020, when this application came up for consideration, this Court found that a prima facie case for grant of ad-interim protection was made out by the Applicant and that as such ad-interim protection could be granted subject to the Applicant to report to the Investigating Officer as and when required by him and cooperate with the investigation. Consequently, the following order granting ad-interim protection was passed in favour of the Applicant.

“i) In the event of his arrest, in connection with investigation of crime No.1258 of 2020 registered with Jail Road Police Station, District-Solapur, the Applicant shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The Applicant shall attend the Investigating Officer on 28.12.2020, 29.12.2020 and 30.12.2020 between 11.00 a.m. to 1.00 p.m. and as and when required by the Investigating Officer.

iii) The Applicant shall cooperate with the Investigating Agency and shall not directly or indirectly make any contact or threaten the Complainant or his family members and shall not tamper with the prosecution evidence/witnesses.

iv) In the event of breach of any of the conditions, the interim protection is liable to be vacated.

v) This order shall remain in force till next date.”

3. Today, when the application is listed for further consideration, Mr Ritesh Thobde learned Counsel appearing for the Applicant submitted that, the Applicant had attended the Police Station and cooperated with the investigation and that, therefore, the application may be allowed in the interest of justice.

4. Mr V.B. Konde Deshmukh, learned Additional Public Prosecutor confirms that the Applicant had indeed cooperated with the investigation. He submits that this Court may issue appropriate directions to the Applicant to attend the jurisdictional Court regularly. Further, the learned APP, on instructions, fairly states that since the charge sheet has already been filed, the interim order/protection may be confirmed.

5. Considering the reasons stated in the order dated 17.12.2020 granting ad-interim protection to the Applicant and the admitted position that in terms of the directions given by this Court, the Applicant has regularly attended the Police Station and presented himself before the Investigating Officer, thereby indicating that he had cooperated with the investigation. The interim protection is operating since last more than two years.

6. Given the above, the application is allowed in the following terms.

ORDER

- a) It is directed that in the event the Applicant is arrested in connection with C.R.No.1258 of 2020 registered at Jail Road Police Station, District-Solapur, he shall be released on bail on furnishing a P.R.Bond of Rs.25,000/- and surety in the like amount.
- b) The Applicant shall not, himself or through any other person, indulge in any activity that would tamper with the evidence or influence the witnesses.
- c) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

[R. N. LADDHA, J.]