

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 2634 OF 2021

Samadhan Pandurang Jadhav	..Applicant
Vs.	
The State of Maharashtra	..Respondent

**WITH
CRI. ANTICIPATORY BAIL APPLICATION NO. 2632 OF 2021**

Haridas Mohan Phate	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr. Saiprasad S. Wadkar i/b. Mr. Shriram S. Chaudhari, for the Applicants.

Mr. S. R. Agarkar, APP for the Respondent / State in ABA No.2634/2021.

Mr. Y. Y. Dabke, APP for the Respondent / State in ABA No.2632/2021.

PC 2036, S. B. Mane, Mangalwedha Police Station, Solapur (Rural).

**CORAM : C.V. BHADANG, J.
DATE : 23 FEBRUARY 2022**

P.C.

. Both these Applications, seeking anticipatory bail, arise out of Crime No.605/2021 of Police Station Mangalwedha, District

Solapur (Rural), under Section 353, 323, 504 and 506 r/w. 34 of IPC.

2. The aforesaid crime is registered on the basis of the complaint lodged by Sandeep Shivaji Mali, Assistant Manager, Maharashtra State Electricity Distribution Company Limited (MSEDCL). The allegation is that on 15 July 2021, when the Complainant had gone to recover the arrears of the electricity charges, one Samadhan Jadhav abused the informant while the Applicant Haridas Phate has abused the first informant and slapped him, thereby preventing him from performing his official duties.

3. I have heard the learned counsel for the parties. Perused record.

4. The record disclosed that on 29 October 2021, this Court (V. G. Bisht, J.) had directed that the Applicants shall not be arrested till next date which order is continued from time to time.

5. The learned counsel for the Applicants submitted that the Applicants shall pay the arrears of the electricity charges, if any, within four weeks from today. The learned counsel further submitted that without admitting the allegations and only by way of

remorse, Applicants shall pay Rs.5,000/- each to the Legal Service Authority.

6. The statement so made is accepted. Although, the act on behalf of the Applicants can not be approved as justified, however, considering the nature of the allegations against the Applicants, the custodial interrogation of the Applicants may not be warranted.

7. Hence, the following order is passed.

ORDER

(i) In the event of their arrest, in connection with investigation of Crime No.605/2021 of Police Station Mangalwedha, District Solapur (Rural), the Applicant Samadhan Pandurang Jadhav (ABA No.2634/2021) and Applicant Haridas Mohan Phate (ABA No.2632/2021) be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each, in the like amount.

(ii) The Applicants shall report to the Investigating Officer as and when required and shall cooperate with the Investigating Agency.

(iii) The Applicants shall deposit the arrears of the electricity charges, if any, within four weeks from

today and shall produce the receipts before the Investigating Officer.

(iv) The Applicants shall further deposit an amount of Rs.5,000/- each with the Legal Services Authority as undertaken and shall produce the receipts before the Investigating Officer.

(v) In the event of breach of any of the conditions, the order shall stand vacated, without reference to the Court.

(vi) The Criminal Applications are disposed of, in the aforesaid terms.

C.V. BHADANG, J.