

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

ANTICIPATORY BAIL APPLICATION NO. 664 OF 2022

1) Dinesh Udyavir Chavan	
2) Vikaskumar Satyadev Prasad	
3) Laxmikant Krushnan Pillai	 Applicants
v/s.	
The State of Maharashtra	 Respondent

Mr. Narayangoresh M. Nadar for the Applicants.
Mrs. M.M. Deshmukh, APP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 17th MARCH, 2022.**

P. C. :-

. This is an Application under section 438 of Cr.PC. filed by the aforesaid Applicants apprehending their arrest in C.R.No.29/2022 registered with Boisar Police Station for offences punishable under sections 109, 143, 147, 323, 395, 452, 504, 506 r/w. 149 of the Indian Penal Code.

2. Heard Mr. N.M. Nadar, learned counsel for the Applicant and Mrs. M.M. Deshmukh, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the First Information Report lodged by Hemraj Yadav. It is the case of the prosecution that on 22/01/2022 at about 05:00 p.m., while the first informant and his relatives were in Room No.A-14, the Applicants and the co-accused criminally trespassed in the said room. They broke the CCTV camera and drove the first informant outside the room, snatched his mobile phone and cash of Rs.10,000/- and assaulted him with sticks, blows and kicks.

4. The records prima facie indicate that the co-accused Heena Takekar has also lodged the FIR against the first informant and five others including Shamshersingh Yadav, the owner of the said room. She has alleged that she was residing in the said room on leave and license basis and that the owner of the said room had broke open the lock and subsequently, the first informant and others had criminally trespassed into her room and abused, threatened and assaulted her. The Applicants have placed on record copy of the leave and license agreement which prima facie indicate that the premises were in possession of the co-accused – Heena Takekar. It is also stated that after the alleged incident, the police had put Heena in possession of the premises and that she continues to be in possession of the said

premises. Under the circumstances, prima facie, no case of criminal trespass is made out.

5. Considering the nature of the dispute, in my considered view, this is not a case which would justify custodial interrogation. Hence, the Anticipatory Bail Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicants in C.R.No.29/2022 registered with Boisar Police Station, they shall be released on bail on furnishing bail bonds in the sum of Rs.20,000/- each (Rupees Twenty Thousand each) with one or two sureties in the like amount ;

(b) The Applicants shall report to the Investigating Officer for three days from 23/03/2022 between 11:00 a.m. to 02:00 p.m.

(c) The Applicants shall keep the Investigating Officer informed of their current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. The Application stands disposed of.

**PREETI
H JAYANI**

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by PREETI H
JAYANI
Date: 2022.03.24
11:17:56 +0530

(SMT. ANUJA PRABHUDESSAI, J.)