

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.946 OF 2022

Rahul S/o. Pralhad Mandale] ... Applicant

Vs.

The State of Maharashtra] ... Respondent

...

Mr. Abhishek Kulkarni for the applicant.

Mr. S.H. Yadav, A.P.P. for the State.

Mr. Pukale B.B., API attached to Ghatkopar Police Station, is present in the court.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 20TH JUNE, 2022.

P.C.:-

1. The applicant is admitted to protection on 07/04/2022 for offences punishable under Sections 427 and 448 of the IPC as well as under Section 3 of the Prevention of Damage to the Public Property Act. The crime was registered against unknown persons as there is no CCTV footage, as the cameras were not in proper working condition.

2. Recording that there is a witness, who has stated that the applicant had participated in the demolition, he was directed to report to the police station. When asked about the progress of the investigation, learned A.P.P. states that the custody of the applicant is warranted, because his intention has to be ascertained.

3. I do not think this is the scope of the investigation in an offence punishable under the provisions of the Prevention of Damage to the Public Property Act. If the applicant is found guilty of the accusations, he will have to face the necessary consequences.

4. Order dated 07/04/2022, therefore, deserves to be confirmed, subject to the applicant continuing to render his co-operation to the Investigating Officer.

5. The application is disposed off.

[SMT. BHARATI DANGRE, J.]