

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.999 OF 2022

Gauri Sachin Gavhane	...Applicant
v/s.	
The State of Maharashtra	...Respondent.

Mr. Niranjan Mundargi a/w Shailesh D. Chavan, for the Applicant.
Mr. P .H. Gaikwad, APP for the Respondent-State.
API. Rahule Ghuge, Baramati Taluka Police Station.

CORAM: VINAY JOSHI,J.
DATED : 20th APRIL,2022.

P. C.:

. Heard.

1. The learned counsel for the applicant would submit that during pending of this application, applicant No.2 Sachin has surrendered and therefore application to that extend is not pressed. The remaining applicant No.1 Gauri is seeking pre-arrest bail in crime No. 163 of 2022 registered with Baramati Taluka Police Station, District-Pune, for the offence punishable under Sections 188, 285, 338 read with 34 of the Indian Penal Code and Section 3 and 7 of the Essential Commodities Act.

2. At the instance of report lodged by Sub-Inspector, the crime was registered with Baramati Taluka Police Station, District-Pune. The Applicant and her husband

were running a Gas agency. It is alleged that at the relevant time a gas cylinder was exploded due to which the police went to the spot. It is found that the gas was illegally transmitted to some other tank. There was explosion in which one of the employee sustained burn injury of grave nature and therefore the report.

3. The state resistant bail by contending that there was blatant breach of directions regarding maintenance of gas agency. It is pointed out that due to carelessness of the applicant a worker sustained injury of grievous nature.

4. The first information report indicates that the said gas agency was managed and maintained by co-accused Nitin Gavane who has surrendered before Police. Likewise husband of existing application has also surrendered and now both are in police custody. The applicant is a lady against whom there are no specific allegations that she was either managing the entire affair or had knowledge regarding the incident. It cannot be inferred that the lady was having control over the act of transmission of gas in violation of norms and conditions. Having regard to the said fact, liberty of applicant No.1 can be protected by directing her to join the course of investigation. In view of that following order.

ORDER

(A) Application stands allowed to the extent of Applicant No.1 Shrimati. Gauri Sachin Gavhane.

(B) In the event of arrest of applicant Gauri Sachin Gavhane, in connection with Crime No163 of 2021 registered with Baramati Taluka Police Station, District-Pune for the offence punishable under Sections 188, 285, 338 read with 34 of Indian Penal Code and Section 3 and 7 of the Essential Commodities Act, 1955. She be released on interim bail on her furnishing P.R. bond of Rs.25,000/-, with one surety in the like amount.

(C) The applicant /accused shall attend concerned Police Station on every Sunday in between 10 a.m. to 12.00 noon till filing of charge sheet or for the period of 90 days whichever is earlier.

(D) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

(VINAY JOSHI, J.)