

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

ANTICIPATORY BAIL APPLICATION NO.1220 OF 2022

Sanjay Gulab Ghule

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Chaitanya Nikte Mr. Burzin Bharucha, Mr. Sanjay Rege, Mr. Kaushal Popat i/b. M/s. White and Brief Advocates and Solicitors for the Applicant.

Mr. A.A. Palkar, APP for Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th AUGUST, 2022.

P.C.:-

1. This is an application under Section 438 of Cr.P.C. filed by the Applicant apprehending his arrest in Crime No.337 of 2022 registered with Kondhawa Police Station, District Pune (city) for the offences punishable under Sections 452, 384, 506, 504, 143, 147 r/w. 149 of the IPC.

2. Heard Mr. Nikte, learned counsel for the Applicant and Mr. Palkar, learned APP for the Respondent -State. 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 FIR lodged by one Anuj Goyal. It is the case of the prosecution that the Complainant, who is a builder by profession has started construction work in land under Survey No.36 and 28 at Mouje Mahammadwadi. It is alleged that on 06/04/2022 his supervisor Bhupendra Kanade had informed him that some persons had visited the construction site and had instructed him to stop the construction. They had also threatened and abused him. It is further stated that the Applicant had demanded money from the Complainant and on failure to make the payment, the Applicant threatened to obstruct the construction.

4. The records reveal that by order dated 04/05/2022 this Court had granted interim relief to the Applicant. Learned counsel for the Applicant states that the Applicant has reported to the Investigating Officer and that he has been duly interrogated. Learned APP states that charge sheet is ready and will be filed in due course.

5. In the light of these statements, presence of the Applicant is no longer required for custodial interrogation. Hence, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in Crime No.337 of 2022 registered with Kondhawa Police Station, District

Pune (city), the Applicant is ordered to be released on bail on furnishing bail bonds of Rs.25,000/- with one or more sureties in the like amount.

(ii) The Applicant shall report to the Investigating Officer as and when called for.

(iii) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner.

(iv) The Applicant shall keep the Investigating Officer informed of his 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.

(SMT. ANUJA PRABHUDESSAI, J.)