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

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ANTICIPATORY BAIL APPLICATION NO. 1567 OF 2021

Aadarsh Prashant Mhatre

... Applicant

Vs

The State of Maharashtra

... Respondent

Mr Gaurav Parkar for the Applicant

Mr.Y.Y.Dabke, APP for the Respondent.

P.S.I. Omprakash Kawde, Alibaug Police Station present.

CORAM : C.V.BHADANG, J.

**DATE : 7th JANUARY, 2022
(THROUGH VIDEO CONFERENCING)**

P.C. :

By this application, the applicant is seeking anticipatory bail in connection with investigation of Crime No. 69 of 2020 by Police Station Raigad under Sections 406, 409 and 420 of I.P.C.

2. It appears that the complainant as well as the applicant/ accused got acquainted while both of them were in prison. The complainant was arrested in an offence U/s 354, 354-A of I.P.C. The material case is that the applicant assured

the complainant that he would help him to get out of the prison and for that some funds would be required. This incident is of the year 2015. According to the applicant the amount which was received, has been returned to the wife of the complainant.

3. Before filing and registration of the present application, the applicant had filed LDVC/Anticipatory Bail Application No. 63 of 2020 during lock down when physical filing was not permitted. Present application is in continuation of that application. The record discloses that on 5th May, 2020 this Court after noticing the fact that the incident is of the year 2015 and the F.I.R. is registered in the year 2020, had granted interim protection to the applicant which is operating from 5th May, 2020. The record further discloses that on multiple occasions, a statement is made on behalf of the Investigation Officer that the complainant and his wife did not attend in spite of requisition and are not co-operating for the investigation. Thus, in my considered view, no purpose would be served by keeping the present application pending, particularly when interim protection is operating for long time and the complainant is not co-

operating with the investigation agency. In that view of the matter the application is disposed of in terms of the order dated 5th May, 2020 in LDVC/Anticipatory Bail Application No. 63 of 2020 subject to the condition that the applicant shall attend the Investigation Officer as and when required and shall co-operate with the Investigation Agency and shall not tamper with the prosecution evidence/ witnesses.

4. Application is disposed of accordingly.

(C. V. BHADANG, J.)