

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1915 OF 2022

Lalit s/o. Gopi Vislawat ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Ashok B. Tajane, i/b. Ms. Kavita P. Shinde for Applicant.
Ms. Geeta P. Mulekar, APP for Respondent-State.

CORAM : NITIN W. SAMBRE, J.
DATE : SEPTEMBER 14, 2022

P.C. :

Applicant is seeking pre-arrest bail in Crime No.760 of 2022 with Hadapsar Police Station, Pune (City) for offences punishable under Sections 384, 170, 171, 506 r/w. Section 34 of IPC.

2. The submission of counsel for the applicant that the role attributed to the applicant in the offence in question even if taken to be true at its face value, there is no demand by the applicant and as such, provisions of Section 384 IPC are not attracted.

3. His further contentions are that -

- (a) the applicant under the interim protection has already attended the Investigating Officer and co-operated in the matter. That being so, his custodial interrogation is not required; and
- (b) the applicant has no criminal record and as such his prayer for bail be considered as he had no intention to commit the offence in question.

4. APP would oppose the prayer.

5. It appears that the co-accused Shrikant was already arrested and during investigation also the presence of the applicant appears to have been established.

6. Apart from the above, the CCTV footage of the hospital where the demand of money was made by the co-accused along with the present applicant primarily establishes physical presence of the applicant.

7. As such, there is enough material on record to infer that *prima facie* involvement of the applicant in the crime in question warrants his custodial interrogation. That being so, no case for pre-arrest bail is made out. Application is rejected.

8. At this stage, counsel for the applicant submits that the ad-interim protection be continued for a period of three weeks. The prayer is opposed by APP.

9. However, in the backdrop of the nature of the allegations against the applicant, ad-interim protection, granted earlier, is extended by a period of three weeks from today.

(NITIN W. SAMBRE, J.)

Minal Parab