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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2153 OF 2022

Ajay Ramdarash Singh	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Nitesh Pandey a/w Anil Pandey for the Applicant.
Smt.Rutuja Ambekar, APP for the State.

CORAM : BHARATI DANGRE, J

DATE : 25th AUGUST, 2022.

P.C.

1] The Applicant is apprehending arrest in connection with CR No. 462/2022 registered with Manpada Police Station.

The complaint lodged by Ramesh Pandey depict the disharmony in the residents of the society known as Lodha Green Park. He is residing in the said society in Bungalow No.116, whereas, in the very same society, Amit Singh and Ajay Singh are occupying Bungalow No.115.

It is alleged that on 14.06.2022, Amit Singh and Ajay Singh arrived in front of his house and told him that he should not park vehicle there and he should park it at some other place. It is alleged that they abused and pushed him and when his wife and two sons Ankush and Ankit came to intervene, they also received similar treatment. He, therefore, went to the Police Station and lodged NC No.2248/2022.

2] As a consequence of this, it is alleged that when he returned from the Police Station, the Applicant alongwith his brother and other friends questioned them as to why they had gone to the Police Station and when he was being assaulted, police intercepted and saved him.

3] On 15.06.2022, it is alleged that once again Applicant started quarrel and barged entry into his bungalow forcibly and when his son Ankush started video shooting the incident, it is alleged that the Applicant snatched mobile from his hand, assaulted him and left with the mobile.

4] Considering the nature of accusation and particularly when, the complaint refer to a quibbe between the residents of the same society, on parking issue, though there are serious allegations which are made under Section 392 of the Indian Penal Code alleging that mobile was robbed, the learned counsel for the Applicant submit that the Investigating Officer shall ascertain location of the mobile, which would reveal that the mobile is not with the Applicant.

5] In any case, for the unruly and unpardonable behaviour which is alleged, the learned counsel for the Applicant state that he shall pay costs of Rs.10,000/- to the son of the complainant, before the Investigating Officer.

Accepting the said statement, since the accusations do not warrant custodial interrogation, following order would serve the purpose of justice.

Hence, the following order :

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.462/2022 registered with Manpada Police Station, the applicant Ajay Ramdarash Singh shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (c) The applicant shall report to the concerned police station as and when called for.
- (d) The Applicant shall deposit Rs.10,000/- with the Investigating Officer, who shall hand over the same to the son of the Complainant.
- (e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (f) Application is disposed off.

[BHARATI DANGRE, J]