

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI. ANTICIPATORY BAIL APPLICATION NO. 2636 OF 2021

Amar Navin Binawat & Ors. ..Applicants

Vs.

The State of Maharashtra ..Respondent

WITH
INTERIM APPLICATION NO. 144 OF 2022

IN

CRI. ANTICIPATORY BAIL APPLICATION NO. 2636 OF 2021

Malkhesingh Rajusingh Dudhani ..Applicant/
Intervener

IN THE MATTER BETWEEN

Amar Navin Binawat & Ors. ..Applicants

Vs.

The State of Maharashtra ..Respondent

Mr. Sachin H. Deokar a/w. Mr. M. K. Pahadi , for the Applicants.
Mr. Y. Y. Dabke, APP for the Respondent / State.
Mr. Vikas B. Shivarkar i/b. Mr. Vivek Joshi, for the Intervener.

CORAM : C.V. BHADANG, J.
DATE : 23 FEBRUARY 2022

P.C.

. The Applicants, apprehending arrest, in connection with investigation of Crime No.271/2021 of Police Station Vanwadi,

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Pune City, under Section 397, 364-A, 324, 504 and 506 of IPC and Section 37(1), 37(3) and 135 of the Maharashtra Police Act and Section 7 of the Criminal Law Amendment Act, are seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint lodged by Malkhesingh Rajusingh Dudhani, who is engaged in the business of fabrication. The allegation is that on 6 August 2021, at about 6.15 p.m. the first informant and his assistant Mr. Aniket Gaikwad were abused and assaulted and an amount of Rs.5,000/- was snatched from the person of the first informant.

3. I have heard the learned counsel for the parties. Perused record.

4. It transpires during the course of hearing that the investigation is complete and the chargesheet is filed. It is pointed out that amount involved in so far as offence under Section 395 of IPC is only Rs.5,000/-. Considering the fact that the investigation is complete, the custodial interrogation of Applicants may not be warranted. The Applicants are granted interim protection on 29 October 2021 on condition of attendance. It is not in dispute that the Applicants have reported to the Investigating Officer and have cooperated with the Investigating Agency.

5. In the result, the following order is passed.

ORDER

(i) In the event of their arrest, in connection with investigation of Crime No.271/2021 of Police Station Vanwadi, Pune City, the Applicant No.1 Amar Navin Binawat, Applicant No.2 Krushna Navin Binawat and Applicant No.3 Sagar Navin Binawat, be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each, in the like amount.

(ii) The Applicants shall report to the Investigating Officer as and when required and shall cooperate with the Investigating Agency.

(iii) The Criminal Anticipatory Bail Application is disposed of, in the aforesaid terms.

(iv) In view of disposal of ABA, the Interim Application is also disposed of.

C.V. BHADANG, J.

This order is corrected as per speaking to the minutes of the order dated 22/3/2022.