

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

ANTICIPATORY BAIL APPLICATION NO. 2613 OF 2011

Vijay Hiralal Tikone

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Girish Dipwani a/w. Siddesh Shetye for the Applicant.

Mr. A.A.Palkar, APP for the State.

**CORAM : ANUJA PRABHUDESSAI,J.
DATED : 26th AUGUST, 2022.**

P.C.

1. This is an application under Section 438 Cr.P.C. for pre-arrest bail in Crime No. 70 of 2021 registered with Shivaji Nagar Police Station, Pune City, for the offences under Section 306, 506, 507 r/w. 34 of Indian Penal Code.

2. Heard Mr. Dipwani, learned Counsel for the Applicant and Mr. Palkar, learned APP for the State. I have 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 Kanchan Naik, daughter of deceased Harishchandra Bharam, who had consumed pesticide and committed suicide on 07.08.2021.

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The Complainant had alleged that her father was the President of Kasba Nagari C-operative Credit Society. The said credit society had gone into loss during COVID 19 Pandemic. She states that her father appeared to be in a disturbed state of mind and he had informed her that the Applicant, who was the Secretary of the said credit society and others were not recovering the loan and were holding him responsible for the loss suffered by the credit society. The FIR further indicates that some of the investors had assaulted the deceased for not returning the amount invested by them and he was forced to issue a cheque and hand over keys of his car.

4. The allegations leveled in the FIR prima facie do not constitute abetment within the meaning of Section 107 of IPC. Considering the nature of accusation and the material in support thereof, the applicant was granted interim bail. It is stated that the Applicant has reported to the Investigating Officer and he has been interrogated. The investigation is completed. The presence of the applicant is not required for the purpose of investigation or interrogation. Under the circumstances, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant in Crime No. 70 of 2021 registered with Shivaji Nagar Police Station, Pune City, the

applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two sureties in the like amount;

(ii) The Applicant shall report to the Investigating Officer if required for the purpose of investigation and interrogation.

(iii) The Applicant shall not interfere with the complainant and the other witnesses in any manner.

(iv) The Applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer.

(v) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.

(ANUJA PRABHUDESSAI, J.)