

Minakshi Gulab Kale and Another	...Applicants
vs.	
The State of Maharashtra	...Respondent

VISHAL
SUBHASH
PAREKAR

CORAM: N. J. JAMADAR, J.
DATE: JUNE 21, 2022

1. Heard the learned counsel for the applicants and the learned APP for the State.

2. This is an application for pre-arrest bail in connection with C.R. No. 216 of 2021 registered with Alandi police station, Pune for the offences punishable under sections 420, 448, 452, 406, 323, 504, 506 read with 34 of Indian Penal Code, 1860.

3. The applicants were allegedly the office bearers of Shiv Pratishthan Karyalay, Alandi. The mother of the first informant was made to part with the title deed and ornaments. This was allegedly at the instance of the first informant's brother Suhas and his wife Swati. When the first informant and his mother demanded the return of the title deed and the ornaments, only title deed was returned and ornaments were withheld. The first informant thus

lodged report.

4. On 16th December, 2021, this Court was persuaded to grant interim pre arrest bail noting that the applicants did deposit the ornaments vide VPR No. 1 of 2021 before the trial Court.

5. The learned counsel for the applicant invited attention of the Court to the allegations in the first information report, which are primarily to the effect that the applicants had not returned the ornaments. The learned counsel further submitted that the recovery of the ornament was the only ground on which the learned Additional Sessions Judge had declined to exercise the discretion in favour of the applicants.

6. The aforesaid submission appears to carry some substance. The gravamen of indictment against the applicants is that under the pretext of resolving the dispute the mother of first informant was made to part with title deed and ornaments. However, only the title deed was returned. Subsequently, as noted in the order dated 16th December, 2021 ornaments have been deposited before the trial Court.

7. In the aforesaid view of the matter, especially having regard to the nature of the accusations, custodial interrogation of the applicants does not seem warranted for an effective investigation.

8. I am, therefore, inclined to confirm the order of pre arrest

bail. Hence, the following order.

ORDER

- 1] The application stands allowed.
- 2] The interim pre arrest bail granted to the applicants on 16th December, 2021 stands confirmed on the terms and conditions incorporated therein.
- 3] In addition, the applicants shall regularly attend the proceedings before the jurisdictional Court.

(N. J. JAMADAR, J.)