

ANTICIPATORY BAIL APPLICATION No. 2773 OF 2021

...Applicant

...Respondent

P.I. Amol B. Devmane, Sanjay Nagar Police Station, Sangli

DATE : JUNE 27, 2022

1. Heard the learned counsel for the Applicant and the Learned APP
for the State.

2. This is an application for pre-arrest bail in connection with CR No. 177 of 2021, registered with Sanjay Nagar Police Station, Sangali.

3. The applicant had purchased a car Datson Go bearing registration No. MH-45-N-6918 by availing finance from Chola Mandalam Finance Company Limited. The applicant paid initial installments. It appears that, in the wake of default in payment of certain installments, the financier had taken possession of the car and it was entrusted to one Shivajirav Gaikwad, the go-down keeper. On 24th September, 2021, the applicant removed the said car from the said go-down without the consent of the go-down keeper.

Hence, report was lodged for the offence punishable under section 380 read with 34 of the Indian Penal Code, 1860.

4. On 26th November, 2021, in the backdrop of the aforesaid nature of the accusation, this Court was persuaded to grant interim pre-arrest bail.

5. The learned counsel for the applicant submits that, in the intervening period, the applicant made efforts to approach the financier and resolve the dispute as regards the payment of the outstanding amount. The applicant is willing to pay the due amount. However, the financier is not giving a favourable response. The learned counsel further submits that, after the applicant was ordered to be released on bail, the applicant has surrendered the car to the Investigating Officer.

6. The learned APP, on instruction of the Investigating Officer, who is present in the Court, submits the car has been seized. In the light of the aforesaid development in the intervening period, further custodial interrogation of the applicant does not seem to be warranted.

7. Hence, I am impelled to make the interim order of pre-arrest bail absolute.

8. Thus, the following order.

ORDER

i) The Anticipatory Bail Application stands allowed.

- ii) The Order dated 26th November, 2021, granting pre-arrest bail to the Applicant is made absolute on the terms and conditions incorporated therein.
- iii) In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.

[N. J. JAMADAR, J.]