

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2901 OF 2021**

Sanjay Laxman Padwal ... Applicant
versus
State of Maharashtra ... Respondent

Mr. Abhishek R. Avachat, for Applicant.
Mr. A.A.Palkar, APP, for State.

CORAM: N.J.JAMADAR, J.

DATE : 6th JULY, 2022

P.C.

1. This is an Application for pre-arrest bail in connection C.R.No.583 of 2021 registered with Manchar Police Station for the offences punishable under Sections 323, 341, 353, 504, 506, 427 of the Indian Penal Code, 1860.

2. Mr. Jayant Dhanraj Getame, the first informant, is posted as Deputy Executive Engineer at MSEDCL, Manchar Division. On 19th October, 2021 he had gone to Bandhanvasti, Loni, Ambegaon along with staff members Maruti Kalbande, Sachin Shivaji Arude, Milind Popat Jadhav, Yogesh Maruti Walun, Sandesh Yashwant Hinge, Shrikrishna Gulab Bhagwat. The electric connection to one of the consumers Sanjay Laxman Padwal, the Applicant herein, was disconnected for default in payment of the electricity charges, in the year 2019. However, it was noticed that the electric supply was being availed unauthorizedly at the said house. The said unauthorized electric supply was disconnected. Electric cable was seized. While the first informant

and his associates were on their way to Loni, the Applicant intercepted them. The Applicant allegedly caught hold of the first informant by collar of his shirt. The Applicant manhandled, abused and threatened to set the first informant and his associates on fire. The Applicant allegedly pelted stones on the car of the informant. Windshield was broken. Hence, the report.

3. When the Application was listed before the Court, by an order dated 9th December, 2021 this Court was persuaded to grant interim pre-arrest bail.

4. I have heard the learned Advocate for the Applicant and the learned APP for the State. The learned Advocate for the Applicant submitted that despite there being no arrears, an unjustified action of disconnecting the electric supply was taken. When the Applicant confronted the first informant, the Applicant came to be falsely roped in.

5. The learned APP, on the other hand, submitted that the allegations in the FIR are substantiated by the statements of the witnesses recorded during the course of investigation. There is material in the form of photographs and video recording, which clearly incriminate the Applicant. It was further submitted that the antecedents of the Applicant are such that the Applicant does not deserve the relief of pre arrest bail. A reference was made to few offences registered against the Applicant at Chandannagar, Koregaon Park and Mancher Police Station.

6. It appears that since the grant of pre-arrest bail, investigation has

reached an advanced stage. The statements of witnesses including the associates of the first informant seem to have been recorded. The vehicle which was allegedly used by the Applicant to intercept the informant party has been seized. Having regard to the nature of accusation, which is essentially of manhandling, abusing and threatening the first informant and his associates, custodial interrogation of the Applicant does not seem warranted for an effective investigation.

7. It is true that few crimes seem to have been registered against the Applicant. Two of the crimes are for the offences punishable under Sections 137 and 135 of the Maharashtra Police Act, 1951 for the breach of directions. Whereas, two crimes are in respect of bodily offences. However, in the backdrop of the nature of the accusation, in the case at hand, at this length of time, I do not find any justifiable reason not to confirm the order dated 9th December, 2021 granting pre-arrest bail to the Applicant.

8. Hence, the order :

ORDER

(i) The order dated 9th December, 2021 granting interim protection to the Applicant stands confirmed on the terms and conditions incorporated therein.

(ii) In addition, the Applicant shall attend Manchar Police Station on the first day of every alternate month for a period of one year from today.

(iii) The Applicant shall regularly attend the proceedings before the

jurisdictional Court.

(iv) The Application stands disposed.

(N.J.JAMADAR, J.)