

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

ANTICIPATORY BAIL APPLICATION NO.3128 OF 2021

Baban Babu Kalhatkar ... Applicant
versus
The State of Maharashtra ... Respondent

Mr. Shrirang Katneshwarkar with Mr. Deepak Pote i/by Mr. Ajay T. Kanawade, for
Applicant.
Mr. A.A.Palkar, APP, for State.

CORAM: N.J.JAMADAR, J.

DATE : 28th JUNE, 2022

P.C.

1. Heard the learned Counsel for the applicant and the learned APP for the State-Respondent.
2. This is an application for pre-arrest bail in connection with C.R. No. 234 of 2021, registered with Vadgaon, Maval, Pune for the offences punishable under sections 353, 323, 504, 506 of Indian Penal Code (“the Penal Code”) 1860.
3. Mr. Vikas Balasaheb Salunke (the first informant), who is working as a Technician in Maharashtra State Electricity Distribution Company Ltd. (MSEDCL), Wadgaon Branch, lodged a report with the allegations that, on 8th December, 2021, on account of arrears of the electricity charges, the electricity connection to the house of the applicant was disconnected. The applicant came thereat and abused and threatened the first informant and the members of his team. The applicant allegedly

caught hold of the first informant by the collar of his shirt and thereby obstructed the public servant in discharge of his official duty.

4. Having regard to the aforesaid nature of accusation, by an order dated 23rd December, 2021, this Court was persuaded to grant interim pre-arrest bail.

5. The learned counsel for the Applicant submitted that the first informant has given an exaggerated version in respect of an incident in which the Applicant had a genuine grievance about the disconnection of the electricity.

6. The allegations are of having abused, administered threat and attempted to assault the first informant. In the backdrop of the aforesaid nature of accusation, the custodial interrogation of the Applicant does not seem warranted. At this length of time, the investigation must have reached an advanced stage. The Applicant seems to have roots in society to bind him down to his place of residence. The possibility of tampering with evidence also seems remote.

7. I am, therefore, inclined to confirm the order granting interim pre-arrest bail to the Applicant. Hence, the following order :

ORDER

1. The Application stands allowed.
2. The interim order dated 23rd December, 2021 granting pre-arrest bail to the Applicant is made absolute on the terms and conditions incorporated therein.

3. The applicant shall regularly attend the proceedings before the jurisdictional Court.

(N.J.JAMADAR,J.)