

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.541 OF 2022

(KARAN MILIND BARASKAR...VS.. STATE OF MAH. THR. PSO PS PARDI, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Sunita Kulkarni, Advocate for Applicant.
Ms Shamsi Haider, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : JUNE 16, 2022.

1. Heard.
2. This is an application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No.49 of 2022, registered with Police Station, Pardi, Nagpur for the offences punishable under Sections 380, 454, 457, 427 read with Section 34 of the Indian Penal Code.
3. The learned counsel for the applicant submits that further custody of the applicant is not required as on completion of investigation the charge-sheet has been filed. It is further submitted that maximum punishment is of 7 years for the offence punishable under Section 380 of the Indian Penal Code.
4. The learned counsel for the applicant lastly submits that the recovery has already been made and there is nothing remained to be seized from the applicant. Accordingly, she prays for grant of bail.

5. On the other hand the learned A.P.P. strongly opposed the application.

6. I have perused the charge-sheet and the F.I.R.

7. In this case, after completion of the investigation charge-sheet has been filed and as such custody of the applicant is no more required. The stolen ornaments have already been recovered and there is nothing remained to be interrogated from the applicant. Moreover, considering the maximum punishment in this case and as there is no possibility that the applicant would pressurize the prosecution witnesses or tamper with the prosecution evidence or he will not be available for trial, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

- i) The application is allowed.
- ii) It is directed that the applicant shall be released on bail in connection with Crime No.49 of 2022, registered with Police Station, Pardi, Nagpur for the offences punishable under Sections 380, 454, 457, 427 read with Section 34 of the Indian Penal Code. on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

- iii) The applicant shall not tamper with the prosecution evidence.
- iv) The applicant shall not leave the jurisdiction of the concerned Police Station without leave of the Court.
- v) The applicant shall attend the trial before the Sessions Court regularly on every date unless exemption is granted by the Sessions Court.
- vi) Liberty is granted to the State that in case the applicant repeats the similar offence, the State may file application for cancellation of the bail.

The Criminal Application is **disposed of** accordingly.

JUDGE

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