



Santosh

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

ANTICIPATORY BAIL APPLICATION NO. 2654 OF 2023

Sachin Suryakant Deshmukh

...Applicant

Versus

The State of Maharashtra

...Respondents

Mr. Nitin Gaware Patil, for the Applicant.

Mr. M. G. Patil, APP for the State/Respondent.

CORAM: N. J. JAMADAR, J.

DATED: 5th OCTOBER, 2023

PC:-

1. Heard the learned Counsel for the parties.
2. By an order dated 21st September, 2023 this Court was persuaded to grant interim protection observing, *inter alia*, as under:

“3. The incident in question had occurred on 22nd June, 2006. Allegedly there were three robbers. Two of them were apprehended at the spot after they caused injuries to the first informant and his uncle, while attempting to take away a bag containing cash amount of Rs.15,000/-. Third robber allegedly fled away. He was then identified as Firoz Inamdar. The later was, however, not sent for trial and a report under section 169 of Code of Criminal Procedure, 1973 was filed. Subsequently, the applicant came to be shown as the person not sent for trial under section 299 of the Code.

4. The learned counsel for the applicant submits that the applicant has been serving in the Border Security Force since 2001. Copies of the service certificates, latest being of 3rd July, 2023, are annexed to the application. In the aforesaid view of the matter and having regard to the time lag and the fact that in the first information report, the informant had alleged that there were three robbers, at this stage, I am inclined to grant interim protection.”

3. The learned Counsel for the applicant submits that the applicant has appeared before the Investigating Officer in terms of the directions issued by this Court and cooperated with the investigation.
4. Having regard to the time-lag since the date of occurrence, custodial interrogation of the applicant does not seem warranted.
5. The applicant is gainfully employed. Possibility of fleeing away from justice and tampering with evidence seems remote.
6. I am inclined to make the order of interim bail absolute.
7. Hence, the following order:

: O R D E R :

- (i) Interim bail order dated 21st September, 2023 is made absolute on the terms and conditions incorporated therein.
- (ii) The applicant shall regularly attend the proceedings before the jurisdictional Court.

Application stands disposed.

[N. J. JAMADAR, J.]