

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 180 OF 2022

Poonamchand Popatlal Jain ... Applicant

Versus

The State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION NO. 294 OF 2022

.....

Mr. Saurabh Raut for the Applicant.

Mr. Amit Palkar, APP for the State.

Mr. Aniket Nikam alongwith Mr. Vivek Arote for the intervenor.

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CORAM : N.R. BORKAR, J.

DATED : 16 MARCH 2023

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 338 of 2021 registered at Nashik Road Police Station, for the offences punishable under Sections 120-B, 323, 384, 504, 506, 427 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant, the learned APP for the State and the learned Counsel for the intervenor.

4. According to the complainant, he is President of Mahavir Educational Trust. It is alleged that the applicant who is Secretary in the said trust had filed cases against him before the Charity Commissioner and demanded Rs.5 crore to withdraw the said cases. According to the complainant, on the date of incident, which took place on 25 December 2021, the co-accused at the instance of the present applicant assaulted him and his son as he refused to accede to his demand.

5. Considering the facts and circumstances, the possibility of lodging of false report cannot be ruled out. I am therefore inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicant - Poonamchand Popatlal Jain in Crime No. 338 of 2021 registered at Nashik Road Police Station, for the offences punishable under Sections 120-B, 323, 384, 504, 506, 427 r/w. 34 of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(iv) Interim application is disposed of.

(N.R. BORKAR, J.)