



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.577 OF 2021**

Swapnil Ramesh Pawar

... Applicant

versus

The State of Maharashtra

... Respondent

Mr. Pandit Kasar, for Applicant.

Mr. M.G.Patil, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 17 OCTOBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.II-08 of 2017 registered with Kongaon Police Station, Bhiwandi, Dist. Thane, for the offences punishable under Section 138 of Electricity Act, 2002 and under Section 427 of the Indian Penal Code.
3. By an order dated 4 March 2021, this Court was persuaded to grant interim protection. The applicant had undertaken to deposit an amount of Rs.1 Lakh.
4. The learned Counsel for the applicant submits that the applicant has deposited the said amount of Rs.1 Lakh. There is no clarity as to whether the co-accused Kishor Nimbalkar, who was the partner of the applicant, has deposited a sum of Rs.4,78,000/- within six months from 4 December 2020. As recorded in the order of even date passed by the learned Additional Sessions Judge while releasing the said

accused on bail. At this length of time, this question ought not detain the court as the applicant as deposited the amount of Rs.1 Lakh.

5. It seems that the co-accused Jayram, in whose name the electricity connection stands, and Kishor Nimbalkar, managing partner of the applicant were arrested and have since been released on bail. In the circumstances, having regard to the nature of the accusation, further custodial interrogation of the applicant does not seem to be warranted. I am, therefore, inclined to make the order of interim bail dated 4 March 2021 absolute.

6. Accordingly, the order granting interim bail dated 4 March 2021 is made absolute.

7. The amount of Rs.1 Lakh deposited by the applicant in the Court of Session on 26 March 2021 shall abide the final decision in the Special Case.

8. The application stands disposed.

(N.J.JAMADAR, J.)