

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 669 OF 2020**

Manoj Pralad Rajguru ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Mrunmayi Khambete instructed by Mr. Vilas Tapkir for the Applicant.
Mr. Amit Palkar, APP for the State.
PI Akshay Patil, Sinhgad Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 13 JANUARY 2023

P.C. :-

1. 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. 50 of 2020 registered at Sinhgad Road Police Station, Pune for the offences punishable under Sections 135, 136, 138 of the Electricity Act, 2003.

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

4. On 17 March 2020, this Court passed the following order :

“1. Heard.

2. *Applicant to implead the complainant as a respondent no.2. Consequential amendment to be carried out within two weeks.*

3. *Applicant is an Electric Contractor, who had allegedly installed the meters on the construction site of M/s Saptrang Developers without permission and in absence of authority. It is alleged that the applicant tampered with the meters caused loss of electricity worth Rs.64,040/-.*

4. *It is under this circumstance, the crime no. 050/20220 came to be registered with Singhgad Road Police Station for the offences punishable under Sections 135, 136, 138 of the Electricity Act, 2003.*

5. *It appears the site of M/s Saptrang Developers, was inspected by the officers of the company on 13.09.2019 however, the complaint was lodged by the officer of the electricity company on 16.02.2020. It is therefore, submitted that the complaint has been lodged belatedly and therefore, afterthought. Learned counsel for the counsel on instructions, further submitted that the applicant is willing to deposit Rs. 64,040/- with added respondent within two weeks from today. Statement is accepted.*

6. *In view of the nature of accusation made against the applicant may be in the nature of irregularity in installing meters and also in view of the fact that the applicant is willing to deposit of Rs. 64,040/- being amount loss allegedly caused to the company. Stand over to 21st April, 2020.*

7. *In the meantime, in the event of arrest of the applicant in Crime No. 50/2020 registered with Singhad Road Police Station for the offences punishable under Sections 135, 136, 138 of the Electricity Act, 2003, he shall be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs.Twenty Five Thousand only) with one or two sureties in the like sum.*

8. *The applicant shall report to the Investigating Officer on 31st March, 2020 and 7th April, 2020 between 11:00 am. to 01:00 pm.*

9. *The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.*

10. *The applicant shall not tamper with the evidence or*

attempt to influence or contact the complainant, witnesses or any person concerned with the case.”

5. The learned APP on instructions submits that during pendency of the present application, the prosecution has filed charge-sheet against the present applicant. Considering the facts and circumstances of the case, I am inclined to allow the present application. In the result, the following order is passed :

- (i) The interim order dated 18 March 2020 passed by this Court is hereby confirmed.
- (ii) The application is disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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