

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

ANTICIPATORY BAIL APPLICATION NO. 1485 OF 2023

Sandesh Kailas Pawar

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr. Shashank P. Borade – Advocate for Applicant.

Mr. H. J. Dedhia – APP for Respondent-State.

Mr. Nitin Khade – API – Nerul Police Station – Navi Mumbai.

CORAM : S. M. MODAK, J.

DATED : 22ND JUNE 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP Investigating Officer is present. Charge-sheet is filed.

2. This Court as per the order dated 23rd May, 2022 has granted an interim protection to the present Applicant. The FIR is registered with Nerul Police Station at C.R. No. 164 of 2023 for the offences punishable under Sections 323, 354-A, 376(2)(n), 406, 498-A, 504 and 506 of Indian Penal Code, 1860 [“IPC”] against in all 6 persons. The present Applicant is Accused No.1. He is the husband of the First-Informant. There is no allegation of committing an offence under Section 376(2)(n) against the present Applicant.

Satish Sangar

3. This Court thought it fit to direct the Applicant to deposit certain amount of money and there is allegation that the Applicant and his family members pressurized the First-Informant to part away total amount of Rs.17,45,000/-. Out of that, an amount of Rs.7,45,000/- is deposited on 1st June, 2023. In view of the undertaking, the Applicant has prayed for time to deposit remaining amount of Rs.5,00,000/- and Rs.5,00,000/-. I do not find his custodial interrogation is required. No ground is made out.

4. It is made clear that the interim order is confirmed for the reason that custodial interrogation is not required. It is nothing to do with deposit of amount. Subject to modification as to period for deposit of remaining amount and relaxation of the condition of attendance, following order is passed :-

O R D E R

- (i) The order thereby granting an interim protection is confirmed on the same terms and conditions only with the modification:--
 - a. that the remaining amount of Rs.10,00,000/- be deposited in the Office of this Court within a period of three months from today.
 - b. condition to attend police station is relaxed.
5. Application is disposed of in the aforesaid terms.

6. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]