

VRJ

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

ANTICIPATORY BAIL APPLICATION NO.1913 OF 2023

Mahesh Machindra Nadhe ... Applicant

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Hasnain Kazi with Ms. Shraddha Vavhal and Mr. Zeeshan Khan i/by Adv. R. K. Shaikh for the applicant.

Mr. Pandurang H. Gaikwad, APP for the respondent No.1/State.

Mr. Abhay Khanderao Dabhade, API, Wakad Police Station, Pimpri Chinchwad, Pune is present.

CORAM : AMIT BORKAR, J.

DATED : JULY 12, 2023

P.C.:

1. Apprehending arrest in connection with F.I.R. No.935 of 2022 registered with Wakad Police Station for offences punishable under sections 354, 452, 141, 143, 147, 427, 323, 504, 506, 149 of the Indian Penal Code, 1860, the applicant is seeking relief under section 438 of the Criminal Procedure Code, 1973.

2. According to the prosecution, the complainant lodged a report alleging that on 31st October 2022 at around 01:30 p.m., the applicant illegally encroached in the house possessed by the applicant and abused and assaulted her. The applicant outraged her modesty and caused damage of Rs.2 Lakh of the household

articles. She, therefore, lodged a report.

3. The Sessions Judge by order dated 26th June 2023 rejected the application.

4. Learned advocate for the applicant stated that during pendency of the present anticipatory bail application, the informant and the applicant have resolved their dispute amicably. Considering the nature of the offences alleged against the applicant, custodial interrogation of the applicant is not required. Hence, the applicant has made out a case for relief under section 438 of the Criminal Procedure Code, 1973. Hence, following order:

a) In the event of arrest of the applicant in connection with F.I.R. No.935 of 2022 registered with Wakad Police Station for offences punishable under sections 354, 452, 141, 143, 147, 427, 323, 504, 506, 149 of the Indian Penal Code, 1860, he be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/-, along with one or two sureties in the like amount;

b) The applicant shall cooperate with the investigation as and when required.

5. The anticipatory bail application stands disposed of in above terms.

(AMIT BORKAR, J.)