

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

ANTICIPATORY BAIL APPLICATION NO. 2344 OF 2023

SANTOSH
SUBHASH
KULKARNI

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Dr. Mainak Manmath Nath Poddar ...Applicant
Versus
State of Maharashtra and ors. ...Respondents

Mr. Mihir Desai, Senior Advocate, i/b Dr. Rajendra Anbhule,
for the Applicant.
Mr. N. B. Patil, APP for the State.

CORAM: N. J. JAMADAR, J.
DATED: 21st AUGUST, 2023

Order:-

1. Heard the learned Counsel for the parties.
2. This is an application to protect the liberty of the applicant by way of transit anticipatory bail in connection with CR No.493 of 2022 registered with GTB Enclave Police Station, District Shahdara, New Delhi, for the offences punishable under Sections 406, 354D, 509, 506, 306 read with Section 511 of the Indian Penal Code, 1860 ("the Penal Code") and Section 67 of the Information Technology Act, 2000 and Section 63 of the Copyright Act, 1957.
3. The applicant claims to be a Professor and Chair, Mathematics at Indian Institute of Science Education and

Research, Pune (IISER). The first informant was pursuing her Ph.D. at IISER, Pune. Dr. Anindya Goswami was appointed as a Supervisor of the first informant. Shristi Gupta was another student under the supervision of Dr. Anindya Goswami.

4. The first informant lodged a report with the allegations that Dr. Anindya Goswami had included Shristi Gupta's name as an author in respect of the work done by the first informant. Upon being confronted, Dr. Anindya Goswami threatened to finish the career of the first informant. It is further alleged that the applicant being the Chair, Mathematics at the said institute also threatened the first informant not to pursue her complaint against Dr. Anindya Goswami lest her career would be finished and she won't be able to complete her Ph.D. The first informant also alleged, being frustrated she had an overdose of anti depressants.

5. On the basis of the aforesaid allegations initially FIR was registered for the offence punishable under Section 406 of the Penal Code only. It seems Dr. Anindya Goswami approached the Delhi High Court for quashing the FIR and she has been protected by an order passed by the Delhi High Court in CRL.M.C.963/2023, dated 10th February, 2023.

Subsequently, the investigation came to be transferred to PS Cyber, Shahdara, and further statements were recorded.

6. In view of the aforesaid development, the applicant was served with a notice dated 5th August, 2023 to join in the investigation of the said offences registered at PS Cyber, Shahdara, Delhi, on 9th August, 2023.

7. The applicant apprehends arrest in connection with the said offence. Mr. Desai, the learned Senior Advocate for the applicant, prayed for interim protection by way of transit anticipatory bail in the light of the allegations in the FIR and the position of the applicant as the Chair, Mathematics, with the Institute, wherein the first informant has been pursuing Ph.D.

8. The allegations are primarily against Dr. Anindya Goswami, who has been protected by an order passed by the Delhi High Court. The applicant appears to have firm roots in society. The apprehension of arrest in the context of the situation in life of the applicant and the nature of the allegations, cannot be said to be wholly unfounded. The applicant is willing to join in the investigation.

9. In the circumstances, the applicant is entitled to interim protection to facilitate him to approach the jurisdictional Court and work out the remedies.

10. Hence, the following order:

: O R D E R :

- (i) The applicant shall appear before the Investigating Officer PS Cyber, District Shahdara, Delhi, on or before 26th August, 2023.
- (ii) In the meanwhile, in the event of arrest of the applicant in CR No.493 of 2022 registered with GTB Enclave Police Station, District Shahdara, New Delhi, now transferred to PS Cyber, District Shahdara, Delhi, the applicant be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- and one or two sureties in the like amount or cash security in lieu thereof, till 28th August, 2023.
- (iii) The applicant shall cooperate with the investigation.

- (iv) The applicant shall not give any threat or inducement to the first informant or any person conversant with the facts of the case.

Application stands disposed.

[N. J. JAMADAR, J.]