

Santosh

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

ANTICIPATORY BAIL APPLICATION NO. 3125 OF 2023

SANTOSH
SUBHASH
KULKARNI

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Date: 2023.11.05
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Tanisha Mahendra Shinde ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Amit Rane, for the Applicant.
Mr. S. H. Yadav, APP for the State/Respondent.
PSI B. H. Sawant, Bhandup Police Station, present.

CORAM: N. J. JAMADAR, J.
DATED: 4th NOVEMBER, 2023

ORDER:-

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. This is an application for pre-arrest bail in connection with CR No.629 of 2023, registered with Bhandup Police Station, Mumbai, for the offences punishable under Sections 332, 353, 427 and 504 of Indian Penal Code, 1860 ("the Penal Code").
3. The first informant is posted as a Technician at M.S.E.D.C.L. On 17th October, 2023, she had visited the applicant's premises at Panchratna Society, Bhandup, and enquired with her as to why the electricity charges were not deposited with the M.S.E.D.C.L. The applicant allegedly

abused and assaulted the first informant and thereby obstructed her in the discharge of her official duties. The learned Counsel for the applicant submitted that the first informant has reported an exaggerated version of the occurrence. In fact, in the said occurrence, the applicant was assaulted.

4. It appears that an altercation arose over the recovery of the arrears of the electricity charges. The incident appeared to have occurred at the spur of moment. It does not seem that there was any pre-meditation.

5. In any event, to facilitate further investigation, custodial interrogation of the applicant is not warranted.

6. Hence the following order:

: O R D E R :

(i) In the event of arrest of the applicant in connection with CR No.629 of 2023, registered with Bhandup Police Station, Mumbai, the applicant be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The applicant shall cooperate with the investigation and attend Bhandup Police Station on 9th and 10th November, 2023 in between 10.00 am. to 1.00 pm. and, thereafter, as and when directed.

(iii) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant or any of the persons acquainted with the facts of the case.

(iv) The applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) It is clarified that these *prima facie* observations are confined to determine entitlement to pre-arrest bail only.

Application stands disposed.

[N. J. JAMADAR, J.]