

Sayali Upasani

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3630 OF 2023

Harshada Vikas Salunkhe	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Rahul Shinde, for Applicant.

Ms. Anamika Malhotra, APP for State/Respondent.

Ms. Aparna V. Rankhambe, for Intervener.

Mr. K. S. Gawale, PSI, Khopoli Police station, Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 22nd DECEMBER, 2023

PC:-

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. 272 of 2023, registered with Khopoli Police Station, Raigad, for the offences punishable under Sections 441, 445, 447 and 453 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").

3) The first informant lodged a report with the allegations that the applicant along with co-accused had committed house trespass and broke open the door of the house of the first informant and encroached upon the property of the first informant.

4) Having regard to allegations in the FIR, even if the prosecution case is taken at its face value, custodial interrogation of the applicant is not warranted to facilitate further investigation. Thus, having regard to the nature of the accusation and the punishments the offences entail, the applicant deserves the exercise of discretion.

5) Hence, the following order.

:ORDER:

I) In the event of the arrest of the applicant in connection with CR. No. 272 of 2023, registered with Khopoli Police Station, Raigad, for the offences punishable under Sections 441, 445, 447 and 453 read with Section 34 of Indian Penal Code, 1860, the applicant be released on bail on executing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

II) The applicant shall co-operate with the investigation and attend Khopoli Police Station, Raigad on 5th and 6th January, 2024 in between 10.00 am to 1.00 pm, and, thereafter, as and when directed by the Investigating Officer.

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

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

V) The application stands disposed.

[N. J. JAMADAR, J.]