

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

ANTICIPATORY BAIL APPLICATION NO. 3446 OF 2023

Sachin Shankarlal Khandelwal

...Applicant

Vs.

**SAYALI
DEEPAK
UPASANI**

The State of Maharashtra

...Respondent

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SAYALI DEEPAK
UPASANI
Date: 2024.06.25
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Mr. Amit Patil with Rishabh Jadhav i/b Ratan L. Adhe, Advocate for Applicant.

Ms. Supriya N. Kak , APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 24th JUNE, 2024

PC:-

1) Heard.

2) The applicant is seeking pre-arrest bail in Crime No. 537 of 2023 registered with Jodbhavipe Police Station, District- Solapur City, for the offences punishable under Sections 328, 272, 188 and 273 of the Indian Penal Code, 1860 and Sections 26(2)(i), 26(2)(ii), 26(2)(iv), 30(2)(a) and 59 of Food Safety and Standards Act, 2006.

3) In the present matter, the applicant was granted ad-interim bail on 17th November, 2023. In relation to the similar offences, many Special Leave Petitions are pending before the Hon'ble Supreme Court of India and in some of the matters the issue involved is whether Section 328 of IPC would apply to these matters. It is informed that the accused persons were granted bail. The matters before the Hon'ble Supreme Court of India are pending.

4) In the circumstances, there is no reason to vacate the order dated 17th November, 2023 but I am of the opinion that it should be confirmed. Hence, I pass the following order.

ORDER

- i) The Anticipatory Bail Application is allowed.
- ii) The order dated 17th November, 2023 is hereby confirmed.
- iii) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence or in case if the state finds it necessary after the decision by the Hon'ble Supreme Court of India in similar matters.

[ANIL S. KILOR, J.]