

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

ANTICIPATORY BAIL APPLICATION NO.585 OF 2024

Dadya @ Sudarshan Ramu Jadhav Applicant
versus
State of Maharashtra Respondent

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- Mr. Vikas Shivarkar, Advocate for Applicant.
- Mr. Avinash A. Naik, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 01st MARCH, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.79/2024, dated 14/01/2024, registered with Hadapsar Police Station, Pune City, under sections 323, 427, 452, 504, 506(2) of the Indian Penal Code, under section 37 (1), 37(3) of the Maharashtra Police Act, under sections 3 and 7 of the Criminal Law (Amendment) Act, 2013 and under section 4 of the Arms Act.

2. Heard Mr. Vikas Shivarkar, learned counsel for the Applicant and Mr. Avinash A. Naik, learned APP for the State.

3. The FIR is lodged by one Dipak Parihar at about 09.22 p.m. in respect of the incident which had taken place on 13/01/2024 at about 08.30 p.m. The FIR mentions that the informant had a grocery shop. On 13/01/2024 at about 01.30 p.m. the present Applicant and one Deep came to his shop and asked for a bottle of water. But he wanted it on credit. The informant's mother refused to give it on credit. Therefore, the Applicant threatened the informant's mother and went back. He returned at 08.30 p.m. with Deep and one more person by name Abhaysing. He threatened the informant and abused him. He removed a sharp iron weapon and threatened the informant. The informant was given kicks and fist blows. They threatened the informant and his mother and then they went out. The people in the locality also got scared. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that the incident is not true. There is unexplained delay of one day in

lodging the FIR. The Applicant had no intention to commit any offence. He has not caused any injury either to the informant or to his mother. His custodial interrogation is not necessary.

5. Learned APP submitted that the act of the Applicant was serious. He had threatened the informant with a sharp weapon and also threatened the neighbouring witnesses.

6. I have considered these submissions. There is delay of one day in lodging the FIR. The Applicant's custodial interrogation will not lead to any collection of evidence. His custodial interrogation for that purpose is not necessary. The informant and his family needs to be protected. Therefore, though the Applicant can be granted anticipatory bail, some conditions can be imposed on him, so that this offence is not repeated and the informant is sufficiently protected.

7. The Applicant can be directed to attend the police station regularly so that there would be check on his activities.

8. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.79/2024, dated 14/01/2024, registered with Hadapsar Police Station, Pune City, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station twice a week for a period of six months from today and shall cooperate with the investigation.
- (iii) The Applicant shall not cause any harassment to the informant, his family and any witnesses in this case.
- (iv) The breach of any of these conditions would entitle the investigating agency to make an application for cancellation of this order.
- (v) With these observations, the application is disposed of.

(SARANG V. KOTWAL, J.)