

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

ANTICIPATORY BAIL APPLICATION NO.723 OF 2024

Prashant Gajanan Vaskar Applicant

versus

State of Maharashtra Respondent

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- Ms. Priyanka S. Thakur, Advocate for Applicant.
- Ms. Poonam P. Bhosale, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 22nd MARCH, 2024**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.26/2024, dated 31/01/2024, registered with Kharghar Police Station, Navi Mumbai, under sections 354, 354-D of the Indian Penal Code.

2. Heard Ms. Priyanka S. Thakur, learned counsel for the Applicant and Ms. Poonam P. Bhosale, learned APP for the State.

3. The FIR is lodged by the victim herself. She has stated that the Applicant is her neighbour and he has a business of

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providing pandal for marriages. It is her case that he was harassing her. He was unnecessarily looking at her. In short, his acts were falling within the meaning of section 354-D of IPC. The Applicant had asked for her mobile number about 15 days prior to the FIR. The subject matter of the FIR is the incident dated 30/01/2024. The informant was going through a narrow place near his pandal. The Applicant helped her in taking her two wheeler outside the Pandal. While handing it over to the Applicant, he told her that he wanted to talk to her. He held her hand and tried to pull her towards him. The informant brushed him aside and went home. She narrated this incident to her husband, who came late in the night. On the next day FIR is lodged.

4. Learned counsel for the Applicant submitted that the area where the incident allegedly had taken place, is under CCTV surveillance and the investigating agency has deliberately not produced the CCTV footage. She submitted that there are bad relations between the Applicant and the informant's family. They are neighbours. She submitted that the Applicant is falsely implicated.

5. Learned APP produced the investigation papers. She submitted that there is one more lady who had given a statement that the Applicant was asking her about her social networking details. She therefore submitted that the Applicant has such tendency to harass the ladies in the locality.

6. I have considered these submissions. The incident occurred at noon time, near a pandal for marriage. There are no other witnesses to the incident and there is no corroborative piece of evidence. However, at this stage, it is not possible to record a finding or make any observations either in favour of the Applicant or in favour of the informant. There is a history of their bad relations as neighbours. There is one more victim. However, the acts alleged against the Applicant in that connection falls under section 354-A, which is a bailable offence. In this background, custodial interrogation of the Applicant will not really help the investigating agency. Instead the Applicant can be directed to regularly report to the police station, so that there is check on his activities.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.26/2024, dated 31/01/2024, registered with Kharghar Police Station, Navi Mumbai, 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 in a month for six months from today and shall cooperate with the investigation.
- (iii) The Applicant shall not cause any harassment to the victim or her family or any other woman in the area.
- (iv) With these observations, the application stands disposed of.

(SARANG V. KOTWAL, J.)