

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2513 OF 2024

Deepak Dharmaveer Sharma, Age 29 years,
Occ.Agriculturist, R/o.Flat No.2,
Building No.3, Bhagirath apartment,
Amaya Park, Navapada Road,
Boisar, Dist.Palghar.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Gaurav Parkar, Advocate for Applicant.

Mr.PH.Gaikwad, APP, for State.

Mr.Amol Chougale, PSI, Kalamboli Police Station, present.

CORAM : ANIL S.KILOR, J.

DATE : 20th December 2024

PC :

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.316 of 2023 registered with Kalamboli Police Station, Navi Mumbai for the offences punishable under Sections 420, 34 of the Indian Penal Code.

3. Having gone through the charge sheet and material collected by the Investigating Officer during investigation it is evident that the allegation against the Applicant is that he threatened the complainant. Whereas, the allegations as regards the execution of agreement or deciding terms and conditions of payment of money towards transportation, are against the co-accused Rohan Varma. Furthermore, it is evident that prima facie the case is of breach of

agreement.

4. Thus, considering the nature of allegations against the Applicant and further the fact that it is the case of breach of agreement, I am of the the opinion the Applicant is entitled for grant of bail.

5. However, learned APP strongly opposed the application on the ground that there are antecedents of similar nature. Considering the above referred observations, I am of the opinion that antecedents would not come in the way of Applicant in the present matter while considering the request for grant of bail.

6. Accordingly, I pass following order :

ORDER

(i) Bail Application is allowed and disposed off;

(ii) It is directed that the applicant shall be released on bail in Crime No.316 of 2023 registered with Kalamboli Police Station, Navi Mumbai for the offences punishable under Sections 420, 34 of the Indian Penal Code on furnishing P.R.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;

(iii) The Applicant shall attend Kalamboli Police Station, Navi Mumbai, on every 1st and 16th of every month between 10.00 a.m and 11.00 pm till conclusion of trial;

(iv) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

(v) Liberty is granted to the State for cancellation of bail if the

applicant breaches any condition or misuses the liberty or commits similar offence;

(vi) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

(ANIL S.KILOR, J.)

MST