

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1805 OF 2024

Suresh Sahebrao Sonawane	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Mr. Yogendra Pratap Singh for Applicant.

Mr. Sagar R. Agarkar, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : JULY 19, 2024

P.C. :

. Heard Mr. Singh, learned counsel for the applicant and Mr. Agarkar, learned APP for the respondent-State.

2. The applicant apprehends arrest in connection with FIR No.0128 of 2024 dated 29.05.2024 registered at Nashik Taluka Police Station, District - Nashik Rural, for offences under Sections 135 and 138 of the Electricity Act, 2003.

3. The offences have been registered on the allegations of tampering and manipulation of electric meter and theft of electricity leading to liability of Rs.1,36,56,900/-.

4. The learned counsel for the applicant submits that the offences are compoundable.

5. This is not disputed by the learned APP. It is submitted that after the Sessions Court rejected the anticipatory bail application of the applicant, he has paid amount of Rs.39,69,800/- on 02.07.2024 and post-dated cheques have been issued starting from 01.08.2024 so as to pay the balance amount due.

6. The learned counsel for the applicant has tendered a submission

along with proof of payment of Rs.39,69,800/- and photocopies of the post-dated cheques. It is stated that the cheques would be honoured, for the reason that the applicant has already suffered losses due to disconnection of electricity in the premises, where the applicant is running coaching classes.

7. Considering the fact that the offences are compoundable and in the light of the aforesaid submission tendered by the learned counsel for the applicant, which is taken on record and marked 'X', this Court is inclined to allow the present application.

8. In view of the above, the application is allowed in the following terms:-

- A. In the event the applicant is arrested in connection with FIR No.0128 of 2024 dated 29.05.2024 registered at Nashik Taluka Police Station, District - Nashik Rural, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one or two sureties in the like amount;
- B. The applicant shall remain present before the investigating officer as and when called by the investigating officer and he shall co-operate with the investigation;
- C. The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

9. In case any of the aforesaid conditions are violated, the present order would be liable to be cancelled.

10. The application stands disposed of.

(MANISH PITALE, J.)