

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2182 OF 2024

Gaurav Surindar Duggal ... Applicant
Vs.
State of Maharashtra and another ... Respondents

Mr. Satyavrat Joshi i/b. Ms. Shivani Kondekar for Applicant.
Ms. Rutuja A. Ambekar, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : AUGUST 23, 2024

P.C. :

. Heard Mr. Joshi, learned counsel for the applicant and Ms.Ambekar, learned APP for the respondent-State.

2. The applicant apprehends arrest in connection with FIR No.0049 of 2024 dated 31.03.2024 registered with Koregaon Park Police Station, District - Pune City, for offences under Sections 323, 354 and 506 of the Indian Penal Code, 1860 (IPC).

3. The informant has raised a grievance that the applicant behaved in a particular manner on the date and time of the incident and on the specific act attributed to the applicant, the aforesaid offences have been registered.

4. The learned counsel for the applicant submits that the allegations have been made against the applicant in the backdrop of a dispute between two friends, when the applicant happened to be present with them. It is submitted that considering the allegations levelled against the applicant, physical custody of the applicant may not be required as he is ready to co-operate with the investigation.

5. The learned APP, on the other hand, submits that the allegations are specific and the overt act attributed to the applicant does make out the ingredients of the offences in question.

6. This Court has perused the statement of the informant, leading to registration of the FIR. The overt act attributed to the applicant is that he pushed the informant during the course of interaction with her and in that process, it appears that there is indeed an allegation about the applicant having inappropriately touched the informant. But, considering the background of the incident and the nature of allegations made against the applicant, this Court is of the opinion that so long as the applicant is ready to co-operate with the investigation, his physical custody may not be required.

7. 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.0049 of 2024 dated 31.03.2024 registered with Koregaon Park Police Station, District - Pune City, he shall be released on bail on furnishing PR Bond of Rs.25,000/- [Rupees Twenty Five Thousand only] with one or two sureties in the like amount;
- B. The applicant shall remain present before the investigating officer between 10:00 a.m. and 12 noon on 26.08.2024 and thereafter as and when required by the investigating officer. He shall co-operate with the investigation;
- C. The applicant shall not contact the informant in any manner during the pendency of the investigation;
- D. The applicant shall not influence the informant, witness or any person concerned with the case and he shall not tamper

with the evidence.

8. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

9. The application is disposed of.

(MANISH PITALE, J.)

Minal Parab