IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2194 OF 2024

Navnath Vitthal Kuchekar ... Applicant
Versus
The State of Maharashtra & Anr. ... Respondents

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Mr. B. A. Lawate for the Applicant.
Mr. Kiran C. Shinde, APP for Respondent-State.
Mr. Raviraj Paramane, through Legal-aid, for Respondent No.2.
Mr. V. H. Khade, H. C. Dahiwadi Police Station.

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CORAM: MANISH PITALE, J.
DATE : 2nd DECEMBER 2024

P.C. :

. In this application, by order dated 23rd August 2024, this Court granted interim relief in favour of the applicant, while issuing notice to respondent No.2.

2. There is nothing to indicate that the applicant has failed to abide by the conditions imposed by this Court while granting such interim relief.

3. Although, at first blush, the allegation against the applicant appeared to be serious, the material on record brought to the notice of this Court indicates that the interim order granted in favour of the applicant, can be confirmed.

4. In fact, while granting interim relief in favour of the

BIPIN DHARMENDER PRITHIANI Digitally signed by BIPIN DHARMENDER PRITHIANI Date: 2024.12.03 10:48:49 +0530

applicant, this Court observed as follows :

> *"5. The learned APP submits that there are indeed statements of the alleged victims recorded under Section 164 of the Cr.P.C., wherein they have not supported the allegations that formed the basis of the registration of the FIR.*
>
> *6. This Court has perused the material on record. Since the alleged victims have not supported the allegations while their statements under Section 164 of the Cr.P.C. were recorded as also the fact that as on today, the applicant is under suspension and there is a departmental enquiry being conducted, coupled with the fact that the FIR prima facie appears to be delayed by about two years, this Court is inclined to grant interim relief to the applicant."*

5. For the aforesaid reasons, the application itself deserves to be allowed, as the applicant has undertaken to continue to cooperate with the investigation.

6. In view of the above, the interim order dated 23rd August 2024 is made absolute and the application is allowed, subject to the applicant continuing to cooperate with the investigation. He shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

MANISH PITALE, J.