

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2370 OF 2024

Tanmay Avinash Hagawane

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Priyal Sarda a/w Mr. Rajabhau Chaudhari i/b Mr. Kisan Chaudhari, for Applicant.
- Mr. Kiran C. Shinde, APP for Respondent.
- Mr. Dilip Pandurang Shinde, PSI, Haveli Police Station, Pune Gramin.

CORAM : MANISH PITALE, J.

DATE : 14th OCTOBER, 2024.

P. C. :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with First Information Report No.0568 of 2023, dated 23.12.2023, registered at Police Station Haveli, District Pune, for offences under Sections 326, 143, 147, 148, 504, 506 and 509 the Indian Penal Code, 1860 (IPC).
3. At the outset, it is pointed out that similarly situated accused persons were granted relief of anticipatory bail by this Court (Coram : Sarang V. Kotwal, J.) by order dated 10.04.2024, passed in Anticipatory Bail Application No.945 of 2024. This application was also directed to be listed before a Bench Presided over by Hon'ble Justice Sarang V. Kotwal. But, it

came to light that the advocate on record is “not before me” before the Hon’ble Justice Sarang V. Kotwal. Additionally, Hon’ble Justice Sarang V. Kotwal, is now heading a Division Bench and therefore, this application has come up for consideration before this Court.

4. A perusal of the material on record indeed shows that the applicant herein is similarly placed like the applicants in the aforementioned application, wherein relief was granted. The learned counsel for the applicant has produced some material to indicate that the applicant was not present at the date and time of the incident, as alleged by the informant.

5. Even otherwise, *omnibus* allegation has been made against the applicant, while the specific allegation about assault causing head injury is made against the co-accused person Ganesh Dilip Hagawane.

6. The applicant is ready to cooperate with the investigation and therefore, the present application also deserves to be allowed.

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

- (A) In the event the applicant is arrested, he shall be released on bail, in connection with FIR Nos.0568 of 2023, dated 23.12.2023, registered at Police Station Haveli, District

Pune, on furnishing PR Bonds of ₹ 30,000/- with one or two sureties each in the like amount, to the satisfaction of the Trial Court.

- (C) The applicant shall cooperate with the investigation.
- (D) The applicant shall attend the concerned police station once a fortnight for a period of four months from today.
- (D) The applicant shall not tamper with the evidence in any manner. He shall not influence the informant, witnesses or any other persons concerned with the case.

8. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail.

9. 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.

10. The application is disposed of.

(MANISH PITALE, J.)