

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3271 OF 2024

Chelaram Jodharam Chaudhari	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Mr. Prashant S. Hagare a/w. Adv. Krishna A. Tarde for Applicant.
Mr. Mayur S. Sonavane, APP for Respondent-State.
Mr. Sandip Gadilkar, PSI, Nigdi Police Station, Pimpri-Chinchwad.

CORAM : MANISH PITALE, J.
DATE : DECEMBER 06, 2024

P.C. :

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

2. The applicant is apprehending arrest in connection with FIR No.0346 of 2024 dated 31.07.2024 registered with Nigdi Police Station, Pimpri-Chinchwad, for offence under Section 309(4) of the Bhartiya Nyaya Sanhita, 2023.

3. The FIR was registered against unknown persons and the allegation is that, such unknown persons came on a motorcycle and snatched *mangalsutra* of the informant. The specific allegation against the applicant is that the accused persons, who actually snatched the *mangalsutra* of the informant, approached the applicant and gave the *mangalsutra* to him, who in turn gave gold bars to the said accused persons. In other words, the allegation against the applicant appears to be that, he dealt with stolen property.

4. The learned counsel for the applicant submits that the applicant is in the business of jewellery since 2012 and not a single allegation is

made against him. He further submits that there are no criminal antecedents against the applicant.

5. On the other hand, the learned APP has relied upon the statement of the co-accused person. It is submitted that since the applicant converted the *mangalsutra* into gold bars, his involvement is clearly made out.

6. This Court is of the opinion that for the present, it appears that other than the statement of the co-accused person, there is hardly any material to link the applicant with the incident in question. The learned counsel for the applicant has specifically pointed out that the police had even visited the premises of the applicant and carried out search but nothing was recovered. It is also submitted that the applicant is ready to appear before the investigating officer and co-operate with the investigation.

7. In such circumstances, while keeping the application pending, interim relief can be granted.

8. In view of the above, there shall be ad-interim order in the following terms:-

- A. Till the next date, in the event the applicant is arrested in connection with FIR No.0346 of 2024 dated 31.07.2024 registered with Nigdi Police Station, Pimpri-Chinchwad, he shall be released on bail on furnishing PR Bond of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court;
- B. The applicant shall remain present before the investigating officer on 09.12.2024 between 10:00 a.m. and 12 noon and thereafter, as and when called. 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 is violated, the present order would be liable to be cancelled.

10. List the application for further consideration on 14.01.2025, High on Board.

(MANISH PITALE, J.)

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