

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3380 OF 2024

1. Shakuntala Yogesh Pardeshi
2. Gaurav Awati
3. Sharayu Gaurav Awati
4. Sachin Deepak Ram ... Applicants
Vs.
State of Maharashtra ... Respondent

Dr. Uday P. Warunjikar a/w. Ms. Sonali R. Chavan, Mr. Sumit S. Kate and Mr.Dattaram Bile for Applicants.
Mr. Bapu Holambe-Patil, APP for Respondent-State.
Mr. Satyavrat Joshi a/w. Mr. Ishan Paradkar for Intervener.
Mr. Sachin Nighot, Head Constable, Chakan Police Station.

CORAM : MANISH PITALE, J.
DATE : DECEMBER 13, 2024

P.C. :

. Heard Dr. Warunjikar, learned counsel for the applicants and Mr.Holambe-Patil, learned APP for the respondent-State.

2. The applicants herein have approached this Court, despite the fact that their anticipatory bail application is pending before the Sessions Court, for the reason that by an order dated 06.12.2024, the Sessions Court rejected the prayer for interim relief made by the applicants.

3. At the outset, the learned counsel for the applicants referred to the order dated 11.12.2024 passed in **Anticipatory Bail Application No.3365 of 2024** (*Sarika Mayaram Pardeshi Vs. State of Maharashtra*). He submitted that by the said order, this Court granted interim relief to a co-accused person, posting the application for further consideration on 16.01.2025, with an observation that the Sessions Court would dispose

of the pending anticipatory bail application at the earliest.

4. This Court is informed that now the anticipatory bail application of the accused persons is kept for further consideration on 19.12.2024.

5. At the outset, the learned counsel for the applicants further submits that the role attributed to these applicants is different from the role that was specifically attributed to the co-accused, who has been granted interim relief by this Court. He relies upon the statement of the informant to contend that general and omnibus allegations are made along with an allegation that the victim was assaulted by means of stones. The learned counsel further highlights the fact that there is a civil dispute in the backdrop, which has led to the aforesaid allegations being made in the FIR.

6. The learned APP has produced the injury certificate for perusal of this Court, which shows that the victims, in the present case, appear to have suffered simple injuries. The learned counsel, having instructions to appear on behalf of the first informant, is opposing the prayer made on behalf of the applicants. He submits that the Sessions Court has correctly denied interim relief, in the facts and circumstances of the present case.

7. This Court is of the opinion that the fact that simple injuries are suffered by the victims and considering the allegations made against the applicants before this Court, while granting interim relief, the Sessions Court can be directed to dispose of the pending application itself at the earliest. It is to be noted that applicant Nos.1 and 3 are women.

8. The learned APP has brought to the notice of this Court that as against applicant No.1, there are four criminal antecedents. A perusal of the list shows that one of the cases, pertaining to offence under Section

302 of the IPC, was registered in the year 2015. The learned counsel for the applicants, on instructions, makes a statement that in the said case, the applicant No.1 was acquitted and that, an appeal against acquittal is pending. In view of the above, interim relief can be granted to the applicants.

9. Accordingly, there shall be interim relief in the following terms:-
 - A. Till the next date, in the event the applicants are arrested in connection with FIR No.0885 of 2024 dated 01.12.2024 registered with Chakan Police Station, District - Pimpri Chinchwad, they shall be released on bail on furnishing PR Bond of Rs.15,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court;
 - B. The applicants shall remain present before the investigating officer as and when required by the investigating officer. 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.
10. In case any of the aforesaid conditions is violated, the present order would be liable to be cancelled.
11. Needless to say, since this Court has passed only an interim order, the pending application before the aforesaid Court shall be disposed of at the earliest. Although it was not specifically stated in the interim order dated 11.12.2024 passed in favour of the co-accused person, it is clarified that the Sessions Court shall proceed to decide the pending anticipatory bail application of the accused persons without being influenced by the fact that this Court has granted interim relief.

12. List on 16.01.2025, to be tagged with Anticipatory Bail Application No.3365 of 2024.

(MANISH PITALE, J.)

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