

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3433 OF 2024

Swapnil @ Lala Tanaji Jadhav ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Shrikrishna Chaudhary (through VC) for Applicant.
Mr. Kiran C. Shinde, APP for Respondent-State.
Ms. Varsha Dalimbkar, PSI, Gandhi Nagar Police Station.

CORAM : MANISH PITALE, J.
DATE : DECEMBER 17, 2024

P.C. :

. Heard Mr. Chaudhary, learned counsel for the applicant and Mr. Shinde, learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0480 of 2024 dated 12.11.2024 registered with Gandhi Nagar Police Station, District - Kolhapur, for offences under Sections 204, 318(4), 319(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The FIR, in the present case, is registered against five unknown persons. The informant has alleged that, on the date and time of the incident, five unknown persons, posing as officers of the Vigilance Department, took away cash amount to the tune of Rs.25,50,000/- from the applicant. After the accused persons took away the cash, the informant realized that he had been cheated as the said persons were not vigilance officers.

4. The learned counsel for the applicant submits that there is nothing to link the applicant with the incident in question and that the applicant is ready to co-operate with the investigation.

5. On the other hand, the learned APP submits that the applicant has criminal antecedents and that the co-accused persons have taken his name during the course of investigation.

6. Since, at present, it appears that other than the statements of the co-accused persons taking the name of the applicant, there is no other material to link the applicant with the incident in question, this Court is inclined to grant interim relief with a direction to the applicant to join investigation.

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

- A. Till the next date, in the event the applicant is arrested in connection with FIR No.0480 of 2024 dated 12.11.2024 registered with Gandhi Nagar Police Station, District - Kolhapur, 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 19.12.2024 between 10:00 a.m. and 12 noon and thereafter, as and when called 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.

8. In case any of the aforesaid conditions is violated, the present order would be liable to be cancelled.

9. List for further consideration on 22.01.2025, High on Board.

(MANISH PITALE, J.)