



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 ANTICIPATORY BAIL APPLICATION NO. 499 OF 2025

1. SACHIN LAXMANRAO DESHMUKH
2. PRAMOD PRABHAKAR SONAWANE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Amit A. Yadkikar
APP for Respondent/State: Mr. B. B. Bhise

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 04.04.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants have approached this Court apprehending arrest in connection with Crime No.0045/2025, registered with Chalisgaon Police Station, Taluka Chalisgaon District Jalgaon, for the offences punishable under Sections 3(5), 318(4) of Bharatiya Nyaya Sanhita, 2023.

3] The case against the applicants is that they are the managerial employees i.e. contractor and supervisor respectively of the concerned society, who supplies labourers on contracts to the MSEDCL. It is further stated

that the applicants have taken certain amounts of money from various persons with the promise to employ them with the MSEDCL for the contract period. The second allegation against the applicants is that even after the contract period is over, they did not terminate or intimated about the termination and the contracted workers worked for 3 months without any salary.

4] The learned counsel for the applicants submits that the employees / concerned complainant are working with various different labourer contractors from the period 2016 onwards. He submits that there are various complaints against the informant of insubordination by the MSEDCL. He submits that the contractor may change but the employees remain same with the different contractors and, since, they have not been engaged on account of insubordination, the present FIR is filed against the applicants.

5] The learned APP points out that there are amounts taken by the applicants. The same is taken through the Phonepay and Googlepay. He also submits that the applicants are responsible for payment of salary, bonus and securing the job.

6] Having considering the rival submissions, prima faice, the applicants herein are employees of the contractor

and not the employees of the MSEDCL. Considering this aspect that the present applicants being the employees of the contractor and, also, prima facie, considering the submissions of the applicants that the concerned employees / informant are working through different contractors for a long period of time and discontinued, the implication of the present applicants cannot be ruled out and, as such, the protection can be granted to the applicants.

7] The learned APP submits that in the event this court intends to grant interim protection, the applicants may be directed to attend the concerned police station and join the investigation.

8] In the meanwhile, there shall be interim order in the following terms :-

A] Till the next date, in the event the applicants are arrested in connection with Crime No.0045/2025, registered with Chalisgaon Police Station, Taluka Chalisgaon District Jalgaon, for the offences punishable under Sections 3(5), 318(4) of Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing PR bond of Rs.15,000/- each with one or two sureties in the like amount.

B] The applicants shall to attend the concerned police station / shall remain present before the concerned investigating officer, on 09.04.2025, between 10:30 a.m. to 01:30 p.m. and, thereafter, as and when required by the investigating officer.

C] The applicants shall co-operate with the investigation, including producing all documents in their possession, as may be demanded by the investigating officer.

D] The applicants shall not influence the informant, witnesses or any person concerned with the case and they shall not tamper with the evidence.

9] Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

10] List on 23.04.2025.

11] The learned APP shall intimate this order to the concerned authority.

[ARUN R. PEDNEKER]
JUDGE