

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2882 OF 2023

Sambhaji Hiralal Shinde ...Applicant
Versus
State of Maharashtra ...Respondent

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Mr. Sushil D. Shinde a/w Mr. Vaibhav Ahiwale (through VC),
Advocate for Applicant.
Mr. S.H. Yadav, APP for the State.
GPSI, S.S. Jagtap, Pandharpur Gramin Police Station, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 12th June 2025

P.C.:

1. Heard Mr. Sushil Shinde, learned Counsel appearing for the Applicant and Mr. Yadav, learned APP for the State.

2. The Applicant, who is the Accused No.2 is apprehending arrest in C.R. No.383 of 2023, registered with Pandharpur Gramin Police Station, for the offence punishable under Sections 324, 365, 327, 143, 147, 148, 149 of Indian Penal Code and under Section 135 of the Maharashtra Police Act, 1951.

3. It is the submission of Mr. Shinde, learned Counsel for the Applicant that the Accused Nos.3 and 4 have been granted

anticipatory bail by Order dated 14th February 2025 passed in Anticipatory Bail Application No.2789 of 2023. He submits that the present Applicant has been protected by this Court by Order dated 16th October 2023 passed in this Anticipatory Bail Application. He submits that the Charge-sheet has been filed on 4th November 2023 and therefore the investigation is complete. He, therefore states that this application be allowed in terms of protection granted by this Court by Order dated 16th October 2023.

4. On the other hand, learned APP strongly opposed granting pre-arrest bail to the Applicant. He submitted that as per the prosecution case, the Informant was kidnapped by the Accused and he was assaulted. He therefore submitted that the Anticipatory Bail Application be rejected.

5. Perusal of record shows that the incident in question took place on 9th August 2023, the F.I.R. has been registered on the very day i.e. on 9th August 2023 and the Charge-sheet has been filed on 4th November 2023. Thus, the investigation is complete.

6. The learned Single Judge, by Order dated 16th October 2023 although granted protection to the present Applicant directed the Applicant to co-operate with the investigation and attend Pandharpur Police Station on 25th, 26th and 27th October 2023 and thereafter as and when directed.

7. Learned APP states that the Applicant has attended Police Station. Thus, it is clear that the Applicant has co-operated with the investigation and the Charge-sheet is filed. Thus, the investigation is complete.

8. The Applicant is granted interim protection by Order dated 16th October 2023. Thus, for almost about 2 years, the Applicant is having interim protection. As already noted hereinabove, the co-Accused i.e. Accused Nos. 3 and 4 have been granted anticipatory bail by Order dated 14th February 2025 in Anticipatory Bail Application No.2769 of 2023. Thus, the Applicant is entitled for bail.

9. Accordingly, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant-Sambhaji Hiralal Shinde be enlarged on bail in C.R. No.383 of 2023,

registered with Pandharpur Gramin Police Station, on executing P.R. bond of Rs.30,000/- on furnishing one or two sureties in the like amount.

- (ii) The Applicant shall attend the concerned Police Station once in a month i.e. on first Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of Charge.
- (iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the Complainant, witnesses or any person concerned with the case.
- (iv) The Applicant shall not contact the victim and prosecution witnesses.

10. Accordingly, the Anticipatory Bail Application is allowed in the aforesaid terms and disposed of.

(MADHAV J. JAMDAR, J.)