

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2654 OF 2024

Sachin Zumbar Patil @ Gaikwad

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Aniket Vagal a/w Mr. Kunal N. Pednekar and Ms. Savvy Kolhekar, for Applicant.
- Dr. Ashvini A. Takalkar, APP for Respondent.
- Mr. Dinesh Lokhande, PSI, Yeola City Police Station.

CORAM : MANISH PITALE, J.

DATE : 31st JANUARY, 2025.

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1. In this application on 01st October, 2024, this Court granted interim relief in favour of the applicant. In the said order, the following observations are made :

“8. This Court has considered the rival submissions, in the light of the material on record. Some of the documents filed alongwith the chargesheet, including the memorandum statement of the co-accused Shubham Mundhe, are not legible and it would be appropriate that the applicant places clear and legible copies on record.

9. The Sessions Court has dismissed the application of the applicant, essentially on the ground that he appears to be the kingpin in the present case and he has strategically kept himself away from the investigation. The chargesheet

in the present case was filed under Section 297 of the Criminal Procedure Code, 1973 against the applicant. Presently, the material relied upon by the investigating authority against the applicant includes the statement of the informant leading to registration of FIR and the statements of the two witnesses i.e. his family members, who claim to have been present, when the applicant had allegedly given threat to the informant. It would be necessary to further look into the matter in detail to reach a definite conclusion. But, since the applicant has undertaken to appear before the investigating officer and to co-operate with the investigation, it would be appropriate that interim order is granted for the present, while keeping the application pending.”

2. This Court is informed that as per the specific direction issued by this Court to the applicant to appear before the Investigating Officer on 04th October, 2024 and 05th October, 2024, and thereafter as and when called, the applicant indeed appeared before the Investigating Officer and that he has cooperated with the investigation. This is confirmed by the learned APP on taking instructions from the Investigating Officer.

3. It appears that as against the applicant herein, the only allegation was that he had threatened the victims. Since the applicant has cooperated with the investigation and this Court is informed that the charge-sheet is already filed, it would be appropriate that the interim order is confirmed and

the application is allowed.

4. Accordingly, interim order dated 01st October, 2024, is confirmed and the application is allowed. The applicant shall not tamper with the evidence and he shall not influence the first informant, witnesses or any other persons concerned with the case.

(MANISH PITALE, J.)