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

Anticipatory Bail Application No.3597 of 2024

Pravin Anand Andhekar
Age: 30 years, Occup. Service
Chandshavli Darga Road,
Perubag Tekri, Paspoli Gaon,
Saki Vihar Road,
Mumbai 400 081

... Applicant

versus

The State of Maharashtra
(at the instance of Sr. Inspector of Police,
Powai Police Station, Mumbai

... Respondent

Mr Pramod Pandey, a/w. Mr Allwin Dave and Mr Nikhil Chauhan, for the applicant.

Ms Sangita E Phad, APP, for the respondent/ State.

PSI Prakash Sonawane, Powai Police Station, Mumbai, is present.

Coram: R.N. Laddha, J.

Date: 22 January 2025.

P.C.:

. Heard Mr Pramod Pandey, the learned Counsel appearing on behalf of the applicant; and Ms Sangita Phad, the learned Additional Public Prosecutor representing the respondent/State.

2. By this application, the applicant is apprehending his

arrest in connection with CR No.858 of 2024, registered at Powai Police Station, Mumbai, accusing him of committing offences punishable under Sections 115, 118(2), 352 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Sections 25 and 4 of the Arms Act, 1959.

3. It is alleged that on 22 October 2024, the applicant and the co-accused, in furtherance of their common intention, assaulted the first informant with a sickle.

4. The learned Counsel appearing on behalf of the applicant, submits that the applicant has been falsely implicated in the present crime. The investigation in the crime has been completed and nothing is to be recovered from the applicant. The weapon allegedly used in the crime has already seized. The co-accused have been released on bail. The applicant is ready to cooperate with the investigation and will comply all the conditions imposed by this Court.

5. On the other hand, Ms Sangita Phad, the learned Additional Public Prosecutor representing the respondent/ State, submits that the applicant and the co-accused, in furtherance of their common intention, assaulted the informant. The material on record disclosed reasonable

grounds to believe the applicant's complexity in the crime. The learned APP, however, acknowledges that the investigation is over and charge-sheet has already been filed and nothing is to be recovered from the applicant.

6. This Court has considered the material on record in light of the rival submissions. Upon perusing the record, it appears that the investigation has already been concluded, and the charge-sheet has been filed. The weapon allegedly used in the crime has already been recovered. In respect of one and the same concurrence, two cross versions have been recorded. The co-accused have already been granted anticipatory bail by this Court on 10 December 2024. In these circumstances, custodial interrogation of the applicant do not seem to be warranted. The apprehension of the prosecution that the applicant may tamper with the evidence or influence the witnesses can be addressed by imposing appropriate conditions. Hence, the following order :

ORDER

(i) In the event of the applicant's arrest in connection with CR No. 858 of 2024, registered at Powai Police Station, Mumbai, he shall be released on bail upon executing a PR

Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence the witnesses.

(iii) The applicant shall regularly attend the proceedings before the trial court.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)