



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

ANTICIPATORY BAIL APPLICATION NO.538 OF 2025

DATTARAM SAHDEV SALUNKHE

...APPLICANT

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Raviraj Paramane i/b Rohit Shirsat and Deva Shinde for the Applicant.

Adv. Avinash A. Naik APP for the State.

PSI S. P. Pawar, Badalapur Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : FEBRUARY 27, 2025

P.C.:

1. It is submitted on behalf of the applicant that this court by order dated 5 February, 2025 was allowed the anticipatory bail application no. 197 of 2025 of the co-accused (Shrikant Bhau Bhilare) on certain conditions. For ease of reference, the order dated 5 February, 2025 is reproduced herein below :-

“1. This Court has passed an order dated 28 January 2025 in the present Anticipatory Bail Application. For ease of references, the order dated 28 January 2025 is reproduced herein below:

“1. The applicant is seeking anticipatory bail in connection with C.R No. 02/2005 dated 2nd January, 2025 registered with Poladpur Police Station, District Raigad under Sections 308(2), 308(3), 126(2), 115(2), 352, 351(2), 351(3), 3(5) of Bharatiya Nagrik Suraksha Sanhita, 2023.

2. It is the case of the applicant that he is an RTI Activist. The complainant was carrying wood (Khair) cut from the forest area in a vehicle, when the present applicant was trying to take

photograph due to which scuffle started between the complainant and the applicant. When according to the applicant he was manhandled and hence contacted the police to inform about the incident and take cognizance of the same. He also approached the hospital for treatment. After he attended the hospital, he again came in contact of the complainant when the complainant on account of medical expenses, paid a sum of Rs.5,000/- to the applicant by Google-pay. However, taking advantage of the situation, the complainant went ahead and filed FIR with the Poladpur Police Station.

3. It is submission of the learned counsel for the applicant that a sum of Rs.5,000/- was on account of the medical expenses which was tendered by Online method by the complainant. Though the case tried to be made out by the applicant is that it was an amount by way of extortion. According to him it is difficult to believe for an prudent man that extortion amount is as low as Rs.5,000/-

4. The learned counsel for the applicant submitted that his client is ready to co-operate with the Police Department if they want to record his statement. In view of the same, the applicant is directed to visit the concerned Police Station (Poladpur Police Station) on 29, 30 and 31 January 2025 from morning 11:00 a.m. to 1:00 p.m. The applicant will co-operate with the police. The applicant will also submit his mobile instrument with the Poladpur Police Station on 29 January, 2025. The said phone snapchat is attached by way of photocopy at page 29 of the Anticipatory Bail Application.

5. Learned counsel for the applicant on behalf of the applicant undertakes that the applicant would not delete any kind of information storage from the said mobile instrument. Undertaking is accepted.

6. Place this matter on 5 February, 2025 under the caption "Urgent Circulation".

2. Today the learned Advocate for the Applicant submits that the Applicant has attended the concerned police station on 29 January 2025, 30 January 2025 and 31 January 2025. The statements of the Applicant were recorded by the police. He further submitted that Applicant's mobile phone has been handed over to the police. The Investigating Officer confirms the statement made by the the learned Advocate for the Applicant.

3. The learned APP, on instructions of the Investigating Officer, submits that the investigation is about to be completed and as of today the custody of the Applicant would not be necessary.

4. According to me, *prima facie* case is made out by the Applicant to grant anticipatory Bail on the following condition:-

ORDER

(a) The Anticipatory Bail Application is allowed.

(b) In the event of arrest of the Applicant in connection with

C.R. No.0002 of 2025, dated 2 January 2025, registered with Poladpur Police Station, Applicant shall be released on bail till filing of the charge-sheet on furnishing PR. bond to the extent of Rs. 30,000/- with one or more sureties of the like amount.

(c) The Applicant shall co-operate with the investigation and attend the investigating officer of the concerned police station, as and when called.

(d) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(e) The Applicant shall furnish his contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

6. In view of the above, the present **Anticipatory Bail Application is disposed off.**"

2. The learned APP fairly submits that since in the case of the co-accused who, is similarly placed like that of the present applicant, he has no objection if the anticipatory bail application of the present applicant is allowed on the same terms.

3. Considering the above submission, I pass the following order.

ORDER

(a) The Anticipatory Bail Application is allowed.

(b) In the event of arrest of the Applicant in connection with C.R. No.0002 of 2025, dated 2 January 2025, registered with Poladpur Police Station, Applicant shall be released on bail till filing of the charge-sheet on furnishing PR. bond to the extent of Rs. 30,000/- with one or more sureties of the

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(e) The Applicant shall furnish his contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

4. In view of the above, the present **Anticipatory Bail Application is disposed off as allowed.**

(RAJESH S. PATIL, J.)