



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.941/2025

RAJENDRA S/O BABULAL KUMAWAT ...APPLICANT
VS
THE STATE OF MAHARASHTRA ...RESPONDENT

...
Adv. Shivchand Mishra for the Applicant.
Adv. Avinash A Naik, APP for the Respondent State.
PSI Gajanan Mekhale, Kandivali Police Station.
...

CORAM : RAJESH S. PATIL, J.
DATED : APRIL 4, 2025

P.C.:

1. This is an anticipatory bail application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed by the Applicant for seeking bail in the event of his arrest in respect of Crime No. 117/2025 registered with Kandivali Police Station for the offences punishable under Sections 316(2), 318(4) of The Bharatiya Nyaya Sanhita, 2023

2. As per the complaint filed, an FIR has been lodged. In the FIR, the role of the present applicant has been specifically mentioned.

3. Mr. Mishra, learned counsel for the applicant submits that

in a pure business transaction between the applicant and the first informant, wherein, they have agreed to carry out the work of shooting for film industry. There were disputes and differences between the present applicant and the first informant. Hence, they parted their ways. The first informant thereafter has lodged the present FIR against the applicant. The applicant is 25 years of age and is a professional photographer. He submits that the applicant without admitting the guilt is ready to hand over the “Gimble” and the pair of headphones to the investigating officer. He submits that there are no antecedents as far as the present applicant is concerned. Therefore, the custody of the present applicant is not necessary.

4. The learned APP submits that as of now the recovery of the equipments have not been taken place. Therefore, the custody of the present applicant would be necessary in order to complete the investigation.

5. I have heard the counsel for both the sides and have gone through the documents on record. Considering the fact that the applicant is ready to hand over the equipments as mentioned in the FIR and the fact that the present applicant is a professional photographer aged 25 years, no antecedents reported against him so also, the fact that the entire transaction appears to be between two business partners, according to my view, at this stage, case is made out to grant the

protection to the applicant. Subject to imposing certain conditions.
Hence, I pass the following order.

ORDER

- (a) **The anticipatory bail application is allowed.**
- (b) In the event of arrest in connection with C.R.No.117/2025 registered with Kandivali Police Station, the applicant shall be released on bail, on furnishing P.R. bond to the extent of Rs.20,000/- with one or two sureties of the like amount.
- (c) The applicant shall attend and meet the investigating officer of the concerned police station to record his statements and for hand over the “Gimble” and the pair of headphones, on 10 April 2025 and 11 April 2025 between 11.00 a.m. to 1.00 p.m. and thereafter as and when called for.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to the Court or any Police Officer and shall not tamper with evidence.
- (e) The applicant shall furnish details of his residential address, contact number and email address to the Investigating Officer.

6. Needless to say, violation of any of the aforesaid conditions

would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

7. **The anticipatory bail application is disposed off as allowed.**

(RAJESH S. PATIL, J.)