

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2228 OF 2025

1. Kundlik Dnyanoba Kanade ...Applicants
2. Ajit Balasaheb Lipane
3. Parmeshwar Keshav Thorat

Versus

State of Maharashtra & Anr. ...Respondents

BHALCHANDRA
GOPAL
DUSANE

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Mr. Piyush R. Toshniwal, Advocate for Applicants.
Mr. S.M. Mangaonkar, APP for the State.
HC, Mr. Kakade, Ambegoan Police Station, Pune City present.
Mr. Harishchandra Bhaskar Popalghat, Deputy Executive Engineer,
MSEDCL, Vasai Division.

CORAM: MADHAV J. JAMDAR, J.
DATED : 8th December 2025

P.C.:

1. Heard Mr. Toshniwal, learned Counsel appearing for the Applicants and Mr. Mangaonkar, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”), the Applicant is seeking pre-arrest bail in connection with C.R. No.147 of 2025 registered with Ambegaon Police Station, Pune City, for the offences punishable under Sections 135 of the Indian Electricity Act, 2003 (“**IPC**”).

3. The prosecution case is set out in paragraph No. 3 of the Order dated 24th July 2025

“3. It is the story of the State that informant by name Harishchandra Bhaskar Popalghat was working as the Deputy Executive Engineer, Flying Squad, MSEDCL. On 19/03/2025 at about 9.45 a. m. the informant along with his staff went to the "Akshada Pet Blowing Industries" for the inspection of electricity supply. The said company belongs to the applicants/accused and they are the partners therein. The informant and his staff inspected the electricity supply. They found that there was one MCB switch to the panel board which was connected to the neutral wire. If the machinery in the said industry was running and MCB switch was switched off, then there was no display on the meter. So also, the impulses were also not running. When the MCB switch was switched on, the electricity meter and display were in running state. As such, the theft of electricity was committed by stopping the meter by switching off the neutral switch. During the period of nine months i. e. from July 2024 to March 2025, the applicants/accused committed the theft of 54,675 Units worth Rs.10,70,670/-. The bill of theft of electricity was delivered to the applicants/accused. But they have not paid the said amount and the compounding charges. Therefore, the FIR was lodged against the applicants/accused.”

4. Thus, as per the prosecution case, the Applicant committed theft of 54,675 units worth Rs.10,70,670/-. The F.I.R. itself *inter*

alia records that the said amount of Rs.10,70,670/- is not deposited, therefore F.I.R. is lodged.

5. A learned Single Judge by Order dated 8th August 2025 has granted interim protection. On the earlier date, Mr. Toshniwal, learned Counsel for the Applicant, on instructions of the Applicants, submitted that the Applicants are ready to deposit in this Court the said amount of Rs.10,70,670/- and accordingly the same has been deposited in this Court by depositing the Demand Draft of Rs.10,70,670/- issued in favour of the Registrar, High Court (A.S.), Bombay. Mr. Toshniwal, learned Counsel for the Applicants, on instructions of the Applicants, who are personally present in the Court gives no objection for withdrawal of the said amount by MSEDCL.

6. Mr. Harishchandra Bhaskar Popalghat, Deputy Executive Engineer, Flying Squad, Maharashtra State Electricity Distribution Company Limited (“**MSEDCL**”), who is the First Informant is present in the Court. He states that as the amount is deposited in this Court, the subject electricity connection will be restored.

7. Thus, by imposing certain conditions, case is made out for grant of anticipatory bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant Nos.1. Kundlik Dnyanoba Kanade, 2. Ajit Balasaheb Lipane and 3. Parmeshwar Keshav Thorat be released on bail in C.R. No.147 of 2025 registered with Ambegaon Police Station, Pune City, on executing P.R. bond of Rs.10,000/- each and furnishing one or two sureties in the like amount.
- (ii) The Applicants shall attend the concerned Police as and when called by the Police and shall co-operate with the investigation.
- (iii) The Applicants shall furnish their cell phone numbers and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) The Applicants 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 such a person from disclosing the facts to the Court or to any Police personnel.

(v) The Applicants shall not leave India without prior permission of the Court.

(vi) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

8. The amount of Rs.10,70,670/- deposited in this Court by the Applicants is allowed to be withdrawn by the MSEDCL. The Registry to take steps to pay that amount to the MSEDCL within a period of two weeks from today. The First Informant states that the subject electricity connection of the Applicants will be restored within a period of one week.

9. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)