

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1356 OF 2022**

Pravin Sahebrao Bhogawade .. Applicant

Versus

The State of Maharashtra .. Respondent

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Mr. Ravindra Pachundkar for the Applicant.

Mrs. Prajakta Shinde, APP for the Respondent/State.

CORAM : BHARATI DANGRE, J.

DATED : 24th MAY, 2022

(VACATION COURT)

P.C:-

1. Heard the learned counsel for the Applicant and the learned APP.

2. The Applicant is apprehending his arrest in connection with CR No. 79 of 2022 registered with Ranjangaon MIDC Police Station, District Pune, invoking Section 353, 504 and 506 of IPC.

Perusal of the FIR filed by the Assistant Engineer of MSEDCL, Shikrapur, would reveal that and in relation to disconnection of certain fiddler lines, a quarrel took place on 26.02.2022 and several villagers gathered and the Applicant was

one of them. It is alleged by the complainant that while he was discharging his duty as a public servant, the present Applicant indulged into an unruly behaviour and leveled certain serious allegations against himself as well as staff members and abused and get threats. The Applicant is also alleged to have pushed the complainant and assaulted him by fists and kicks blows. This incident resulted in invocation of Section 353 of IPC along with Section 504 and 506 of IPC.

3. At the outset, the learned counsel for the Applicant state that he is repentful about his behaviour and it was only on account of the anxiety which was caused to him and the villagers, on account of absence of electricity, the incident took place. The learned counsel for the Applicant would submit that he is a young man without any criminal antecedents and he is ready to render all his co-operation to the Investigating Officer.

4. The learned APP has filed on record an earlier antecedent of the Applicant in form of CR No. 0275 of 2020 registered with Ranjangaon MIDC Police Station. Pune Rural based on similar facts invoking Section 353, 332, 294, 504 and 506 of IPC. The learned APP would submit that the Applicant is habitual in entering in confrontation with the officials and the previous incident when the covid pandemic guidelines were in operation,

he indulged into a similar act.

5. Since the counsel for the Applicant has already stated that the Applicant is repentive of his behaviour and assured this court that in future he will not take law in his own hands and would follow due process of law, in any case when he has to agitate any grievance either for himself or on behalf of the villagers, and will not take recourse to such an action, I am inclined to accept his statement and direct his release on bail, in the event of his arrest. However, at the same time, it must be kept in mind that a normal citizen whatsoever serious his grievance may be, shall not be permitted to deal with officials in charge of the system of a duly organised governmental structure or follow the course which has been adopted by the Applicant. For his act, for which he has expressed repentance, the learned counsel for the Applicant on instructions from the Applicant states that if the Court imposes any condition on him, he is ready to bide by it.

In the aforesaid circumstances, I deem it fit to direct the Applicant to pay an amount of Rs.25,000/- by way of costs to Ganegaon Khalsa Grampanchayat, Taluka Shirur, District Pune within a period of eight weeks. The amount shall be utilised for the welfare of the people of the said grampanchayat and this would be considered as social service on the part of the Applicant, who has stated in the application that he was concerned with the welfare of the people in the locality and therefore, was fighting for

the rightful cause.

6. Hence, the following order:

ORDER

(a) In the event of his arrest, the Applicant shall be released on bail in CR No.79 of 2022 registered with Ranjangaon MIDC Police Station, Pune, on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

(b) The Applicant shall report to the concerned police station as and when called for.

(c) The Applicant shall deposit an amount of Rs.25,000/- by way of costs for his unruly and offensive behaviour with the complainant, in Grampanchayat Ganegaon Khalsa within a period of eight weeks from today. He shall produce the receipt of payment thereof to the Investigating Officer upon the deposit of such an amount.

(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 shall not tamper with evidence.

(e) Criminal application is disposed off.

(SMT. BHARATI DANGRE, J.)