

Pankaj Dattatray Turekar vs The State Of Maharashtra on 2 December, 2022

Author: Anuja Prabhudessai

Bench: Anuja Prabhudessai

P.H. Jayani

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3357 OF 2022

Mr. Pankaj Dattatray Turekar Applicant
v/s.	
The State of Maharashtra Respondent

Mr. Shaikh Asif Ali i/b. M/s. A.A. Siddiquie and Associates
for the Applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 02nd DECEMBER, 2022.

P. C. :-

1. The Applicant has filed this Application under section 438 of Cr.P.C. apprehending his arrest in C.R.No.1417/2022 registered with Hadapsar Police Station, Pune for offences punishable under sections 272, 273, 328 of the Indian Penal Code, 1860 and sections 26(2)(i), 26(2)(iv), 3(1)(zz)(iv) and section 59 of The Food Safety and Standards Act, 2006.

2. The case of the prosecution is that a tempo bearing registration No.MH-12-RN-8865 which was carrying gutkha was intercepted. The contraband was seized and the driver was placed under arrest. It is stated that on the basis of the statement of the co-accused, the Applicant has been arrayed as an accused.

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3. The issue relating to the applicability of section 328 of the Indian Penal Code in such matters, is pending before the Hon'ble Supreme Court. Furthermore, as on date, the only material against the Applicant is the statement of the co-accused. Considering the above facts and circumstances, the Applicant is granted interim bail. Hence, the following order :-

(a) In the event of arrest of the Applicant in C.R.No.1417/2022 registered with Hadapsar Police Station, Dist. Pune, he shall be released on interim bail till the next date of hearing, on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer for two days from 05/12/2022 between 11:00 a.m. to 02:00 p.m. and further as and when required by the Investigating Officer ;

(c) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

4. Stand over to 14/12/2022.

PREETI H JAYANI (SMT. ANUJA PRABHUDESSAI, J.)