

Darshan Dattatray Turekar vs State Of Maharashtra on 30 November, 2022

Author: Anuja Prabhudessai

Bench: Anuja Prabhudessai

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3323 OF 2022

Darshan Dattatray Turekar

..Appli

v/s.

The State of Maharashtra .

..Respo

Mr. Shaikh Asif Ali i/b. A.A.Siddiquie & Associates
Mrs. Rutuja Ambekar, APP for the State.

for the A

CORAM : ANUJA PRABHUDESSAI, J.

DATED : 30th NOVEMBER, 2022.

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid applicant apprehending his arrest in C.R.No.1417 of 2022 registered with Hadapsar Police Station for offences under Section 328, 379, 272, 273, 188, 269 of the Indian Penal Code and Section 59 r/w. 26(2)(i), 26(2)(iv) and 3(1)(zz)(iv) of the Food Safety and Standards Act, 2006..

2. Heard Mr. Shaikh, learned Counsel for the applicant and Mrs. Ambekar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties .

Digitally signed by PRASANNA P 3. The aforesaid crime was registered pursuant to the FIR dated PRASANNA P SALGAONKAR SALGAONKAR Date:

2022.12.01 18:07:05 +0530 pps 1 of 3 4 aba 3323-22.doc 12.11.2022. It is the case of the prosecution that a tempo carrying bearing No.MH-12-RN-8865, carrying Gutkha was intercepted. The driver was arrested. It is stated that the driver has disclosed the name of the applicant as supplier of Gutkha. It was under these circumstances, that the applicant has been arrayed as an accused. It is stated that the issue regarding

applicability of Section 328 of IPC in such cases is pending before the Honourable Supreme Court.

4. Considering the above facts and circumstances, in my considered view, this is a fit case to grant interim bail to the applicant. Hence the following order:-

(i) In the event of arrest of the applicant in Crime No.C.R.No.1417 of 2022 registered with Hadapsar Police Station , the applicant be released on interim bail on furnishing PR bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer for two days from 05.12.2022 between 11.00 a.m. to 2.00 p.m., and further as and when required by the Investigating Officer for the purpose of investigation and interrogation.

(iii) The applicant shall provide his permanent as well as pps 2 of 3 4 aba 3323-22.doc temporary address, if any, and his contact details to the Investigating Officer.

(iv) The applicant shall keep not change his residential address without prior intimation to the Investigation Officer.

(v) The applicant shall not interfere with the complainant and the other witnesses, or tamper with the evidence in any manner. . Stand over to 14.12.2022.

(ANUJA PRABHUDESSAI, J.)

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