

MHCC050016332021



**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI**

ANTICIPATORY BAIL APPLICATION NO. 441 OF 2021

IN

(C.R. No.86 of 2021 of Dindoshi Police Station)

Mr. Sandesh Shivajirao Kale,

An adult, Indian, Inhabitant,

Aged 35 years., Occupation : Sports Teacher,

R/a : H/703, Olive Apt.,

Sri Prastha Colony, Nallasopara (W),

Taluka-Vasai, Pin 401 203.

..Applicant

Vs

The State of Maharashtra

(through Dindoshi Police Station)

..Respondents

Ld. Adv. Sameer Khan for the applicant.

Ld. Adv. R.S.Kanojia APP for the State.

**CORAM : SHRI S. U. BAGHELE,
ADDITIONAL SESSIONS JUDGE,
COURT ROOM NO. 09.**

DATE : 03rd April, 2021

ORAL ORDER

This is an application for the grant of anticipatory bail under section 438 of the Cr.P.C., in connection with C.R. No. 86 of

2021, registered with Dindoshi Police Station, relating to the offences punishable under sections 452, 506(2), 406, 323, 504 & 34 of the Indian Penal Code.

2 Perused the application, the say filed thereon and the documents relied upon in support thereof.

3 Heard the learned counsel for the applicant & the learned APP for the State.

4 It is submitted by the learned counsel for the applicant that money was not repaid by the informant. Bangles were given as security. There are no antecedents against the applicant.

5 Per contra, it is submitted by the learned APP that the applicant adopted the method of extortion, with the help of others. He obtained Bangles forcefully and did not return back the same.

6. As per the FIR, the allegations against the applicant are to the extent that though the informant repaid substantial amount of loan to the applicant, he did not return back Bangles, and misappropriated the same. The further allegations are in respect of abuses, beating and intimidation.

7. The dispute pertains to repayment or otherwise of loan. Considering the same, the custodial interrogation of the applicant is not required, due to which, he is entitled to anticipatory bail upon certain

conditions. Thus, I proceed to pass the following order :

ORDER

- 1) The application for the grant of anticipatory bail is hereby allowed and it is hereby directed that in the case of arrest of the applicant **Mr. Sandesh Shivajirao Kale**, in connection with C. R. No. 86 of 2021, registered with Dindoshi Police Station, relating to the offences punishable under sections 452, 506(2), 406, 323, 504 & 34 of the Indian Penal Code., he be released on bail, on his executing PR Bond of Rs. 15,000/- (Rupees Fifteen Thousand Only), with one or more sureties in the like amount, on the conditions that the applicant shall attend Dindoshi Police Station on every Monday between 12.00 p.m. to 2.00 p.m. until the filing of the charge-sheet or until further order, whichever event occurs the first, the applicant shall not tamper with the prosecution witnesses in any manner and shall co-operate with the investigating agency.
- 2) The concerned Police Station be informed accordingly.
- 3) Anticipatory Bail Application No. 441 of 2021 is hereby disposed of accordingly.

(S. U. BAGHELE)

Additional Sessions Judge,
Borivali Div., Dindoshi, Mumbai

Dt. 03/04/2021

Dictated on : 03/04/2021
Transcribed on : 03/04/2021
Signed on : 03/04/2021

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

03/04/2021 at 05.30 p.m.
UPLOAD DATE AND TIME

Mr. A.S.Sugdare
NAME OF STENOGRAPHER

Name of Judge (with Court room no.)	HHJ Shri S. U. Baghele, City Civil & Sessions Court, Borivali Div., Dindoshi, Mumbai (C.R.No. 09)
Date of Pronouncement of JUDGEMENT/ORDER	03/04/2021
JUDGEMENT/ORDER signed by P.O. on	03/04/2021
JUDGEMENT/ORDER uploaded on	03/04/2021