

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1.) No(s).4713/2020

(Arising out of impugned final judgment and order dated 29-03-2019 in CRLBA No.1528/2017 passed by the High Court Of Judicature At Bombay)

SANTOSH SHANKAR INGLE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(IA No. 81423/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No.81416/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.81418/2020 - EXEMPTION FROM FILING O.T., IA No.81420/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 05-11-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Gaurav Agrawal, Adv.
Mr. Anand Dilip Landge, AOR

For Respondent(s)

Mr. Rahul Chitnis, Adv.
Mr. Sachin Patil, AOR
Mr. Geo Joseph, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the petitioner as well as learned counsel for the State.

This special leave petition has been filed against the order dated 29.03.2019 passed by the Bombay High Court dismissing the bail application of the petitioner. Petitioner is an accused in Crime No.336/2015 punishable under Sections 406, 409, 420, 465,

467, 468, 471, 384, 120B, 201 read with Section 34 IPC and under Sections 7 and 13(1)(C)(D) of the Prevention of Corruption Act.

The petitioner was Additional Managing Director of the Corporation. He was in-charge of the post of Managing Director till 01.04.2014 then he resigned. Petitioner is in under trial and he is in custody for about 4 years and 9 months. Learned counsel for the petitioner submits that the main allegations in the FIR were against the Chairman-Ramesh Kadam, Ex-MLA. It is further submitted that chargesheet against the petitioner has been filed. The High Court in paragraph 8 while rejecting the bail has observed that what is noticed is the investigation in the matter is still going on.

Learned counsel for the State has opposed the prayer of the petitioner for release on bail. He, however, submits that the investigation is going on with regard to subsequent chargesheet which is against the co-accused. No subsequent chargesheet has been filed against the petitioner and the only chargesheet filed against the petitioner was on 13.05.2016.

In facts of the present case, we are of the view that the petitioner be released on bail on such terms and conditions as may be fixed by the Trial Court. In the conditions, it shall also be included that the petitioner shall surrender his passport, if any, and further he shall not contact or in any manner influence the witnesses of the case. We further make it clear that in any event it is found that petitioner in any manner is misusing the liberty

of bail, it shall be open for the prosecution to make an application for cancellation of bail.

With these observations, the special leave petition is disposed of alongwith the pending application(s).

(ARJUN BISHT)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER