

Dilip Sambaji Kharatmol ...Applicant
vs.
State of Maharashtra ...Respondent

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is necessary without making reference to the nature of allegations levelled against the culprit involved in it. Furthermore, the said order reveals that in spite of the interim relief being refused the main application for pre arrest bail was kept pending in violation of provision of Section 438 of Cr.P.C. as amended for Maharashtra State.

3. Having regard to it, it clearly appears that the prayer for pre arrest bail on merits was not at all considered by the Court of Session. Hence, this application is disposed of with liberty to the applicant to apply a fresh application for pre arrest bail before the Court of Session.

4. In event of such application preferred, the Court of Session shall decide it on its own merits and in accordance with law uninfluenced by the earlier rejection devoid of any cogent reasons. The applicant to prefer such application within one week from today.

5. In the meanwhile for a period of one week the investigating officer of C.R. No.17 of 2014 registered with Kherwadi police station, Mumbai not to take coercive steps of arrest against the applicant subject to applicant attending the investigating officer on every Monday in between 11 am to 1 pm until further order and not committing any act intermingling the investigation in progress and not misusing the order for fleeing away or for any other oblique purpose.

Application stands disposed of.

(P.D. KODE, J.)