

Altaf Ahmed Momin Applicant
Vs.
State of Maharashtra
& Anr. . . . Respondents

CORAM: P.D. KODE, J.

DATED: JANUARY 28, 2015

P.C:

1. Heard. The learned counsel for the applicant states that instead of pressing the prayer for pre-arrest bail, he is making a limited request of protecting the applicant for a reasonable period to enable him to surrender before the trial/remand Court and pray for bail and giving appropriate directions to said Court and in the meanwhile, protecting him on terms

and conditions deemed fit and proper by the Court. It is submitted that apparently there is a dispute between husband and wife and it is well-known that such disputes are always actuated with an idea of taking revenge upon each other. Hence, protection may be granted till merits of the matter are decided by the remand/trial Court. Since request is made for surrendering before Court of law, which may facilitate earlier completion of investigation as warranted by law, the request deserves consideration, so also of the protection having regard to the nature of the dispute in between the parties.

2. As informed, the applicant to surrender before the remand/trial Court on or before 3-2-2015 at 11:00 a.m.. In the meanwhile, the applicant (i) to stay at the address mentioned in the application; (ii)

attend the I.O. on every day in between 4:00 p.m. to 7:00 p.m.; (iii) shall not indulge in any activity of tampering the progress of the ongoing investigation and (iv) misuse the protection granted vide this order for fleeing away or for committing any further offence.

3. In said premises, the I.O. of Crime No.I-134 of 2014 of Bhoiwada Police Station not to take coercive steps of arrest against the applicant up till 3-2-2015, till 11:00 a.m.. The trial/remand Court to decide the application for bail of the applicant in accordance with law, as early as possible and preferably on the same day, subject to 24-hours advance notice of it is given to the other side spelling the date and time of surrender and the applicant adhering to it. The application accordingly stands disposed of.

(P.D. KODE, J.)