

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.199 OF 2015

Pradeep Sharma (Tailor)	...Applicant
vs.	
State of Maharashtra	...Respondent

Mr. Girish Agarwal, learned Advocate for the Applicant.

Ms. A.T. Javeri, learned APP for the State.

CORAM : P.D. KODE, J.

DATE : FEBRUARY 12, 2015

P.C.

. Heard.

2. Learned counsel for the applicant has submitted that instead of pressing the application for pre-arrest bail, he is making a limited request for granting reasonable time to the applicant to surrender before the trial/remand Court and pray for bail and in the meanwhile, protecting him on the conditions deemed fit and proper by this Court

and giving appropriate direction to learned Magistrate to decide the application for bail at the earliest.

3. It is submitted that the offences are triable by the Court of Magistrate. The F.I.R. *prima facie* does not reveal the role of the applicant except accompanying the main accused and as such the request may be favourably considered.

4. Request being made for surrendering before the Court of Law which would facilitate earlier completion of investigation of crime in question, the request deserves consideration. The request for protection also deserves consideration in view of the role of the applicant being primarily of accompanying the main accused.

5. The application stands disposed of as withdrawn.

6. The applicant, as informed, to surrender before the trial/remand Court on or before 20-02-2015 by 11.00 am. In the meanwhile, the applicant to stay at the address mentioned in the application and not to change the same without permission of the trial Court, to attend the investigating officer everyday in between 4.00 pm to 6.00 pm and not to intermingle with the investigation in progress and also not to misuse the protection granted by this order for fleeing away or for any other oblique purpose.

7. In the said premises, the investigating officer of C.R. No. 685 of 2014 of MIDC police station, Mumbai, registered for offences punishable under section 420 and 408 read with 34 of Indian Penal Code not to take coercive steps of arrest against the applicant upto 20-02-2015, 11.00 am.

8. The trial Court to decide the application for bail, if preferred by the applicant, in

accordance with law on its own merits and uninfluenced by the fact of protection being granted by this order, as expeditiously as possible and preferably on the same day subject to 24 hours advance copy of it being served upon the other side stipulating the date and time of surrender in it and the applicant adhering to it.

The application stands disposed of.

(P.D. KODE, J.)