

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1168 OF 2015

Yogin Pravinchand Jhaveri

.....Applicant

V/s.

The State of Maharashtra and others

....Respondents

Mr. Subhash Jha i/b Law Global Advocates for Applicant

Ms. P. P. Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : AUGUST 11, 2015.

PC :

Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant herein is apprehending his arrest in crime no. 162 of 2015 registered at Gamdevi Police Station for offence punishable under section 406, 420 of Indian Penal Code.

2) Applicant had approached the Court of Sessions seeking pre-arrest bail. Learned Sessions Judge by an order dated 05/08/2015 has been pleased to reject the said application by observing:

“There is nothing on record to show that this applicant has apprehension in his mind for his arrest. No crime has been registered against him. So also the police have also submitted in writing that no such connection of this applicant is found in this crime. Hence to my mind, there are no any circumstances on record from which applicant

has apprehension in his mind for his alleged arrest. Hence, application stands rejected.”

3) Prima facie, there is nothing on record to differ with the view taken by learned Sessions Judge. In view of this, this Court is inclined to issue following directions.

ORDER

- (i) In the event that police of Gamdevi police station desire/intend to arrest applicant in crime no. 162 of 2015, police shall give 72 hours notice to the applicant, barring Sundays and public holidays.
- (ii) Present application is restricted to crime no. 162 of 2015 registered at Gamdevi police station.
- (iii) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)