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FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1224 OF 2015

Sukhvindar Singh Vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr Viral Rathod i/by N.K.Sharma, Advocate for the applicant.
Ms PP. Shinde, APP for the State.

CORAM : A.S.GADKARI, J.
DATE : 05th January, 2016

P.C.

- 1) The applicant is apprehending arrest in CR No. 107/2015 registered with Versova Police Station under section 380 of IPC.
- 2) The complainant Azim Allouddin Mansuri has lodged the FIR dated 30.3.2015 stating that on 30.3.2015 at about 3:00 a.m. in the morning he along with his friends went to sleep. Subsequently, at about 7:30 a.m. his roommate namely Mr Shahjad Khan left the said room for attending to his duty. While leaving the said room said Mr Shahjad Khan had closed the door by pushing the

door panels. The complainant has stated that as the complainant and his two other friends were fast asleep they did not bolt the door from inside.

At about 9:00 a.m. when the complainant woke up, he found that his mobile phone was missing. Thereafter, he woke up his other two friends who also found that their mobile phones were missing. The complainant and his friend thereafter realized that the money which was kept in the pant pocket was also missing from the spot. Therefore, the complainant lodged the FIR against an unknown person mentioning that the property worth about Rs.95,795/- is stolen from his house. In the premise the FIR is lodged.

During the course of investigation, the police collected for the CDR report of the phone numbers of the complainant and his friends. Out of the three mobile phone which were stolen from the house of the complainant, it is revealed that a particular mobile phones was in the use of the applicant. The applicant was thereafter called for the purpose of investigation. However, he did not participate in the process of investigation.

3) The report dated 27.7.2015 submitted by the Senior Police Inspector, Varsova Police Station to the Metropolitan Magistrate, 26th Court, Mumbai is self eloquent in that behalf.

Taking into consideration the fact that the police have traced out the alleged perpetrator of the crime, as the applicant, according to me the custodial interrogation of the applicant is necessary for the purpose of recovery of stolen goods. After taking into consideration the serious allegations made against the applicant, I am not inclined to grant pre-arrest bail to the applicant. The application is accordingly dismissed.

(A.S. GADKARI, J.)