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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1800 OF 2016

Krishna Sudhir Salunke

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Satyavrat Joshi for applicant.

Ms. S.S. Kaushik, APP for the State.

CORAM: A.S. GADKARI, J.

DATE : 18th January 2016.

P.C.

1 The applicant apprehends arrest in CR No.26 of 2015 registered with Vinoba Bhave Nagar Police Station, Mumbai under Sections 143, 144, 147, 148, 149, 323, 324, 325 and 307 of the Indian Penal Code and Section 37(3), 135 of the Maharashtra Police Act.

2 It is the case of the prosecution that, the other co-accused along with the son of Sudhir Salunkhe assaulted the complainant Dindayal Rai by kicks and fist blows and with the aid of cement paver-blocks. The applicant while arguing the present application on earlier occasion had submitted that there are two sons to Sudhir and the identity of the applicant

is in dispute. In view of the same, this Court had directed the applicant to attend the Investigating Officer between 10.00 a.m. to 12.00 noon as and when called. The learned APP on instructions submitted that the applicant has complied with the said condition and has co-operated in the process of investigation. She on instructions further submitted that the custodial interrogation of the applicant is not required.

3 In view of the above, the interim relief granted on 26th November 2015 is hereby confirmed with direction that the applicant shall attend the Investigating Officer as and when called between 10.00 noon to 2.00 p.m. It is needless to mention that before calling the applicant to attend the Police Station, the Investigating Officer shall issue notice under Section 160 of Cr. P.C.

4 The Application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)