

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.13 OF 2017

Mohammed Farhan Shaikh Applicant

versus

State of Maharashtra & Ors. ... Respondents

.....

- Mr.Mafeen Shaikh a/w Sajid Qureshi, Advocate for the Applicant.
- Mr.M.G. Patil, APP for the State/Respondent.

CORAM : A.S.GADKARI, J.
DATE : 13th APRIL, 2017.

P.C. :

1. By an order dated 05/01/2017, the applicant was granted interim relief.
2. The applicant is apprehending arrest in C.R.No.320/16 registered with Sion Police Station dated 16/12/2016 for the offences punishable u//s 354, 354-A, 354-B, 504, 509, 506(II), 323 r/w 34 of the Indian Penal Code.
3. I have perused the papers annexed to the application and also record of investigation. In pursuance of the order dated

05/01/2017, the applicant has attended the Investigating Officer. It is to be noted that the alleged incident as narrated by the first informant is dated 23/11/2016 occurred on a flowing road. The First Information Report is lodged on 16/12/2016 i.e. after a lapse of about 21 days. The delay occurred in lodging the first information report is unexplained. Considering the facts mentioned in the first information report coupled with the unexplained delay, this Court is of the view that the custodial interrogation of the applicant is not necessary.

4. Interim relief granted by order dated 05/01/2017 is hereby confirmed.
5. The application is allowed in aforesaid terms.

(A.S.GADKARI, J.)