

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 133 OF 2017
Vijay Sharma vs. The 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. Aniket Nikam i/by Chetan S. Damre for the Applicant
for the applicant.

Mrs. PP. Shinde, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 27th March, 2017

P.C.

1) By an order dated 25.1.2017 the applicant was granted interim relief.

2) It is the prosecution case that on 15.10.2016 Shri. Vishesh Joshi- the brother of deceased Miss. Shikha lodged the first information report inter alia stating that in the year 2005-06 his sister had been to the applicant who is a Cosmetic Surgeon at Khar and that time an offence under Section 354 was registered against the applicant. It is also stated that there were some disputes and differences of opinion between the deceased and the applicant over the surgery performed by the applicant on the deceased Ms. Shikha. That, Mrs. Shikha committed suicide on 16.5.2015.

3) The record reveals that the present crime is registered on 15.10.2016 i.e. approximately after the lapse

of 18 months. The record further reveals that by the afore-stated order dated 25.1.2017 the applicant was directed to attend the Investigation Officer and to co-operate with the investigation agency. It appears from the record of investigation that the applicant did attend the Investigation Officer and has joined the process of investigation. After perusal of the first information report and other documents pertaining to investigation, this Court is of the view that custodial interrogation of the applicant for the purpose of further investigation in the present crime is not necessary.

4) The interim relief granted by an order dated 25.1.2017 is hereby confirmed, however, the applicant is directed to attend the Investigation officer as and when called for between 11.00 a.m. to 1.00 p.m. and to join the process of investigation till the submission of final report or charge sheet.

It is needless to mention that before calling the applicant to the police station the investigation Officer shall issue notice under Section 160 of the Cr.P.C. thereby specifying the date and aforesaid time in it.

5) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)