

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 147 OF 2017
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 235 OF 2017

Shahnawaz Mohamed Yusuf

... Applicant

Vs.

The State of Maharashtra

... Respondents

Mr. Nilesh R. Pandey i/b Mr. Siddharth Jaiswal Advocate for Applicant
Mrs. J. S. Lohakare APP for the State
Mr. Farheen Khan for Complainant

CORAM: SMT.SADHANA S.JADHAV, J.

DATED : 16th FEBRUARY, 2017.

P.C.

1) Heard. The learned counsel for the applicant submits that by an order dated 08/02/2017, applicant was granted interim protection and was directed to attend the police station from 15/02/2017 to 20/02/2017. Complainant herein has approached the police station on 13/02/2017 and has submitted that she was earlier running a clinic in Flat No. 325, Seaphons Society. That at present she is residing at Mahim with her parents.

2) On 13/02/2017, she had been to the said house and she found that the

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house was vacant. It is alleged that one key to the said house is with the applicant and another key is with her husband who is in custody. She has stated that applicant has taken away all the furniture and her other belongings. Crime no. 76 of 2017 is registered at Khar Police Station for offence punishable under sections 380, 454, 457 of the Indian Penal Code.

3) The learned counsel for the applicant submits that in order to frustrate the interim relief granted in favour of the applicant, subsequent F.I.R. is lodged and therefore he would not be able to attend Khar Police Station from 15/02/2017 to 20/02/2017 as he apprehends arrest in crime no. 76 of 2017. Applicant is approaching court of Sessions under section 438 of Code of Criminal Procedure, 1973.

4) Applicant shall mark his presence before Bandra Police Station from 27/02/2017 to 02/03/2017 between 10.30 a.m. to 01.00 p.m. and co-operate with the investigating agency to the best of his capacity. The operative order dated 08/02/2017 is accordingly modified.

5) Application stands disposed of.

6) Criminal ABA 235 of 2017 be listed on 07/03/2017.

(SMT. SADHANA S. JADHAV, J.)