

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 466 OF 2017

Gargi Gunadhar Gagoi.	... Applicant.
Versus	
The State of Maharashtra.	... Respondent.

Ms. Pranothi B. Pawar, advocate for Applicant.

Mrs. Veera Shinde, APP for State.

**CORAM : SMT. SADHANA S. JADHAV, J
DATE : MARCH 16, 2017**

P.C.:

1 Heard the learned Counsel for the applicant and the learned APP. Perused papers.

2 This is an application under section 438 of the Code of Criminal Procedure, 1973. The applicant herein is apprehending her arrest in Crime No. 54 of 2017 registered at Charkop Police Station for the offence punishable under section 379 read with 34 of the Indian Penal Code.

3 It is the case of the prosecution that Vijay Shetty lodged a report at the police station alleging therein that the complainant had a pet dog of grade den breed. That on 27/12/2016 he had tied the dog near hospital. That at about 9.30 a.m. he was informed by one of the worker that an ambulance, on which SOS had been inscribed, came there and one lady who was inside the ambulance had taken the dog in rickshaw. In the course of investigation, it revealed that the name of the driver of the said ambulance was Anil. He was arrested and enlarged on bail. It had transpired that the present applicant was seated in the said van and she is an animal activist and she is the member of Animal Welfare Association. The dog was found in the shelter which is maintained by her. It would not be a fit case for custodial interrogation. Hence, the applicant deserves to be granted pre-arrest bail.

4 Hence, following order is passed :

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in Crime No. 54/17 registered at Charkope Police Station, the applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs. 15,000/- with one or more sureties in the like amount.
- (iii) The applicant shall report to the concerned police station as and when called after issuing notice under section 160 of the Code of Criminal Procedure, 1973 and cooperate with the investigating agency to the best of her capacity.

5 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)