

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

WRIT PETITION NO .1195 OF 2017

Vivek Mahendra Panwar	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

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Mr. Ghanshyam Upadhyay i/b. M/s. Law Juris for the
Petitioner.

Mr. J.P. Yagnik, APP for the Respondent -State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 12th APRIL, 2017.

P.C.:-

Heard the learned counsel for the Petitioner and the
learned APP for the Respondent-State.

2. The Petition is filed for seeking direction to the Respondent
not to effect arrest of the Petitioner for a period of 12 weeks upon his
arrival in India on 4th April, 2017 so as to enable the Petitioner to seek
appropriate relief, as may be permissible in law to safeguard his
personal liberty and freedom in connection with Crime No.250.of 2013
registered at Kasturba Marg Police Station, Borivali, Mumbai.

3. The Petitioner is of Indian origin and settled in Canada. He
has also got Canada citizenship. Subject FIR was registered at the

instance of his wife under section 498 A of the Cr.Pc. After completion of the investigation charge sheet against the Petitioner and his parents was filed in the year 2013, wherein the Petitioner was shown as wanted accused. The Petitioner want to come to India to take appropriate steps. However, he apprehends that the moment he lands in India, he would be arrested and therefore, the present Petition is filed for limited relief of not to arrest.

4. The learned counsel for the Petitioner, on instructions makes a statement that the Petitioner will come to India on 16th April, 2017 night from Canada. He further states that he will report to Kasturba Marg Police Station, Borivili on 18th April, 2017 and thereafter shall take appropriate steps for obtaining the pre-arrest bail. The statement is accepted. In the light of above, we dispose of the Petition by directing the investigating agency of the concerned FIR not to take coercive action against the Petitioner for the period of 10 days w.e.f. 16th April, 2017. Ordered accordingly.

5. All concerned to act upon an authenticated copy of this order.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)