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

ANTICIPATORY BAIL APPLICATION NO. 1125 OF 2017

Vijay Vilas Bhise

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. S.M. Pathak for the Applicant.

Mr. S.S. Hulke, APP for the Respondent/State.

Mr. Manoj Badgujar i/b A.P. Kulkarni for Respondent No.2.

CORAM : A.S.GADKARI, J.

DATE : 29th NOVEMBER 2017

P.C.:

1] By a reasoned Order dated 4th July 2017 the applicant was granted interim relief with a direction to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2] Perused the record of investigation.

The record indicates that on the date of commission of offence, the applicant was not at village Kombleshwar, Taluka Phaltan, District Satara and was attending his duty at Mumbai. The only circumstance put-forth by the prosecution showing involvement of the applicant in the

present crime is that, he was in touch with his mother and father on the date of incident on his mobile phone. Prima facie it appears that applicant has no direct role to play in the present crime and the accused persons named in the first information report have committed the offence being frustrated and enraged by constant harassment at the hands of the deceased Vijay Sul to their daughter Miss. Swati. On the date of incident Miss. Swati was forced to accompany deceased Vijay and thereby tried to further aggravate the situation and in retaliation the other accused persons assaulted Vijay and Sunil (Vijay's friend) with sharp-edge weapon due to which they died on the spot.

3] After perusing the record, this Court is of the view that for further investigation of the crime, the custodial interrogation of the applicant is not necessary.

In view thereof, the interim relief granted by an Order dated 4th July 2017 is confirmed. However, the condition to attend the Investigating Officer is hereby waived.

4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)