IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1704 OF 2017

Karsan J. Chawada ...Applicant.

vs.

The State of Maharashtra ...Respondent.

Mr. K.S. Patil for the Applicant.
Mr. A.A.Patil, APP. for the State.

CORAM : A.S.GADKARI, J.
DATE : 10th October, 2017

P.C.

1. By an order dated 28.9.2017 the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates. The learned APP. on instructions submitted that the applicant has attended the Investigating Officer on the stipulated dates and joined the process of investigation.

2. Perused the record of investigation. The applicant is father in law of first informant. As stated in order dated 28.9.2017 the allegations against the applicant is demand of dowry from the first informant and therefore section 498A read with 34 of the Indian Penal Code is applied to the present case. In view of the ratio laid down by the Apex Court in the case Arnesh Kumar vs. State of Bihar and another reported in (2014) 8 SCC 273 the applicant deserves to be released on pre arrest bail.

3. In view of the above, the interim relief granted by an order dated 28.9.2017 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

4. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)