

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.585/2016

Dr. Aarti d/o Subhas Heda, Akola .vs. Narendra s/o Omkarmal Dhoot & ors

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. A. Mohta, Advocate for applicant.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 2, 2017

According to the learned counsel for the applicant, the non applicant nos. 1 to 4 have committed contempt of court by moving an application under Section 438 of the Cr. P. C. for anticipatory bail in spite of the fact that no offence under Section 498-A of the Indian Penal Code was registered against them. Thus, according to the learned counsel, this is a contempt of the Court.

The point as sought to be raised by Mr. Mohta, the learned counsel for the applicant is devoid of any substance. For filing an application under Section 438 of Cr. P. C., registration of an offence is not a sine qua non. Apprehension of arrest in any non bailable offence carried by such an applicant is sufficient to move to the Court. Hence, the application is therefore rejected.

JUDGE