

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO. 204 OF 2018**

|                                 |                |
|---------------------------------|----------------|
| Kutubuddin Aboobaker Khan & Ors | ...Applicants  |
| <b>Versus</b>                   |                |
| The State of Maharashtra & anr  | ...Respondents |

Mr. Ashok Mundargi, Senior Advocate i/b Prerak A. Sharma, for the Applicant.

Mr. S. S. Hulke, APP for the State/Respondent no.1.

Mr. Ashok M. Saraogi, for Respondent no.2.

Mr. R. S. Kane, PI Khar Police Station, Mumbai.

**CORAM:** A. S. GADKARI, J

**DATED:** 11th JULY, 2018

**PC:-**

**1.** By a reasoned order dated 2<sup>nd</sup> February, 2018, the applicants were granted interim relief and were directed to attend the Investigating Officer of concerned police station on stipulated dates.

Heard Mr. Mundargi, the learned Senior Counsel for the applicant, Mr. Saraogi, the learned Advocate for the first informant at greater length and the learned APP. Perused the record of investigation.

**2.** The record indicates that in pursuance of order dated 2<sup>nd</sup> February, 2018, the applicants have attended the Investigating Officer and joined the process of investigation. It is submitted by the learned APP that except recovery of the alleged cash amount, other articles have been seized at the instance of the applicants. After perusing the record of investigation this Court is of the considered view that that the custodial interrogation of the applicants for further investigation of the present crime is not necessary. In view thereof, the applicants are entitled to be protected by the pre-arrest bail.

**3.** Interim relief granted by Order dated 2<sup>nd</sup> February, 2018, is hereby confirmed. However, the applicants are directed to attend the Investigating Officer of concerned police station as and when called for between 11.00 am. to 1.00 pm. on receipt of a notice under Section 160 of Criminal Procedure Code and to join the process of investigation till the submission of final report.

**4.** Application is allowed in aforesaid terms.

**[A. S. GADKARI, J.]**

Santosh  
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Kulkarni

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