

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 236 OF 2018

Smt. Anitkaur Ranjitsingh Bhatia

....Applicant.

Vs.

The State of Maharashtra & Anr.

....Respondents.

Mr. K.D. Ambulkar for the Applicant.

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

CORAM : A. S. GADKARI, J.

DATE : 29th JUNE, 2018.

P.C.:-

By a reasoned Order dated 7th February, 2018 the Applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the record of investigation.

3 The record indicates that the co-accused Gurmeetsingh Bhagatsingh Gill has been released on bail by the learned Metropolitan Magistrate, 44th Court, Andheri, Mumbai on 29th June, 2018.

The learned Magistrate, while releasing the said accused

on bail has recorded a finding that the first informant purchased flat No.701 situated in “B” wing of the said building and not in “C” wing. The first information report proceeds on the footing that he purchased the flat in “C” wing of the said building. The record further indicates that, the Applicant attended the Investigating Officer on stipulated dates and has joined the process of investigation.

The findings recorded by the concerned Magistrate changes the entire context of the present case. The police have to verify the correctness about the statement made by the first informant in the report and for that, the custodial interrogation of the Applicant in the present crime is not necessary.

4 In view thereof, interim relief granted by Order dated 7th February, 2018, is hereby confirmed. However, the condition to attend the Investigating Officer of the concerned Police Station is waived.

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)