

Dond

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

ANTICIPATORY BAIL APPLICATION NO. 361 OF 2018

Anil Rama Tandel

... Applicant

V/s.

The State of Maharashtra

... Respondent

Ms. Vrishali Raje for Applicant.
Mr. S.S. Hulke, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 6th July 2018.

P.C.:

1] By an Order dated 27th February 2018, the applicant was granted interim relief.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record of investigation.

3] The present crime was registered on 9.10.2014 and after completion of investigation, the police have submitted chargesheet on 6.1.2015. Perusal of the chargesheet would indicate that, the applicant has not been shown as an absconding accused. It is thus clear that, the applicant was and is very much present in the village. However, the police

have never called him for interrogation and for the purpose of investigation.

4] Perusal of the record would indicate that, there is no mention in the case diary, whether during the intervening period any steps were taken to trace out the applicant. The case diary further discloses that the applicant was never called for the purpose of interrogation by the police. In this background, the Investigating Agency is now seeking the custody of the applicant after completing the investigation.

5] After perusing the chargesheet and the record of investigation, this Court is of the opinion that the custodial interrogation of the applicant for further investigation of the present crime is not necessary.

6] In view thereof, interim relief granted by Order dated 27th February 2018 is hereby confirmed.

7] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)