

Dond

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

ANTICIPATORY BAIL APPLICATION NO. 453 OF 2017

Bhawna Sansanwal Rathee

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. K.R. Shah i/b Rishi Bhuta for applicants.

Mr. Ameet Palkar, APP for State.

Mr. Aniket Nikam i/b Aashish Satpute for Respondent No.2.

CORAM : A.S.GADKARI, J.

DATE : 25th JANUARY 2018.

P.C.:

1] By a reasoned Order dated 29th March 2017, the applicant was granted interim relief.

2] Heard the learned Counsel for the applicant, the learned Counsel for the respondent No.2 and the learned APP. Perused the record of investigation.

3] The record indicates that, the husband of the applicant namely Prashant K. Rathee has been arrested by the police on 24.1.2018 and he is in police custody. After perusing first information report and the record of

investigation, prima facie it appears that the applicant has no role to play in the present crime and she has been impleaded in the crime only because she is wife of the principal accused Prashant Rathee who is now in police custody. In view thereof, this Court is of the view that the custodial interrogation of the application for further investigation of the crime is not necessary.

4] In view of the above, interim relief granted by Order dated 29th March 2017 is confirmed. However, the condition to attend the Investigating Officer is hereby waived.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)