

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 601 OF 2018

Gokulprasad Ishwarlal Dhanuka	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Ramesh Mishra, for the Applicant.
Ms. A. A. Takalkar, APP for the State/Respondent.

CORAM: A. S. GADKARI, J
DATED: 11th JUNE, 2018

PC:-

1. By an order dated 28th March, 2018 the Applicant has granted interim relief.

Heard the learned Counsel for the Applicant and the learned APP. Perused the record of investigation.

2. It is an admitted position on record that the applicant is the father of accused no.1 Rakeshkumar G. Dhanuka. That except making a bald statement in the complaint that the applicant being father of accused no.1 Rakeshkumar used to attend the office of the said firm namely “Gokulprasad Rakeshkumar & Co.”, there is no overt act

attributed to the applicant. The complaint filed before Judicial Magistrate, First Class, Thane by the first informant in its para no.2 categorically mentions that, the accused no.1 Rakeshkumar is the proprietor of the said firm "Gokulprasad Rakeshkumar". All the goods were supplied by the first informant to the said "Gokulprasad Rakeshkumar" and its proprietor Rakeshkumar had accepted the delivery of the said goods.

3. As noted earlier except the fact that the applicant is the father of Rakeshkumar and on certain occasions used to attend the office of the said firm, no other role is attributed to the applicant in the present crime.

4. In view thereof, interim relief granted by an order dated 28th March, 2018, is hereby confirmed. However, the condition to attend the concerned police station is waived.

5. Application is allowed in aforesaid terms.

[A. S. GADKARI, J.]