

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 612 OF 2018

Arun Laxman Magar & ors.	...Applicants.
vs.	
The State of Maharashtra	...Respondent.

Mr. R.N. Gite for the Applicants.
Mrs. Rutuja Ambekar, APP. for the Respondent-State.

CORAM :A.S.GADKARI, J.
DATE : 5th December, 2018

P.C.

1. By a reasoned Order dated 2.4.2018 the applicants were granted interim relief and were directed to attend the Investigating officer on stipulated dates, to join the process of investigation.
2. Heard the learned counsel for the applicants and the learned APP. Perused the record.
3. The record indicates that, applicant No.2 is the real sister of the first informant Kiran More. There is a cross complaint lodged by applicant No.2 bearing CR No. I-25/2016 registered with Camp Police Station, Nashik on 26.5.2016 under Section 395, 354, 504 and 506 of the Indian Penal Code arising out of

the same incident. A perusal of the first information report lodged by Kiran More would indicate that, there is exaggeration in his version about the alleged act as contemplated under Section 354 of the I.P.C. by the applicants.

4. In view of the above and for the reasons recorded in Order dated 2.4.2018, this Court is of the view that, custodial interrogation of the applicants for further investigation of the present crime is not necessary.

Interim relief granted by Order 2.4.2018 is hereby confirmed. However, the condition to attend the Investigating officer is waived.

Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)