

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

ANTICIPATORY BAIL APPLICATION NO.678 OF 2018

Yogesh Ravindra Jagtap		Applicant
<u>Vs.</u>		
The State of Maharashtra		Respondent

Mr. Sachin H. Deokar for the Applicant.
Mr. Vinod Chate, APP for the State- Respondent.

Coram : Smt. Sadhana S. Jadhav, J.
Date : 23rd July, 2018

P.C.

1 Heard the learned counsel for the applicant and the learned A.P.P.

2 This is an application under Section 438 Code of Criminal Procedure. The applicant herein is apprehending his arrest in Crime No.37 of 2018, registered at Sangavi Police Station, Pune, for the offences punishable under Sections 307, 363, 109, 143, 147, 148, 149 of the Indian Penal Code.

3 The applicant herein was granted interim protection vide order dated 9th April 2018. It was submitted that at that stage CDRs dated 20th January 2018 of the period from 4.37 to 5.38 pm. are of no consequence. Today, the investigating agency has filed a report, which shows that the applicant happens to be habitual offender. There are as many as 6 to 7 cases registered against the applicant. The applicant was even externed vide order No. 9 of 2009. Thereafter several offences are registered against the applicant. In this view of the matter, the applicant would not be entitled to extension of discretionary relief under Section 438 of Cr.P.C. Hence, the application stands rejected on merits.

4 However, the learned counsel for the applicant submits that in the present case, the applicant would surrender himself before the learned Magistrate at Pune. In view of this, the applicant stands protected till 5.00 pm. of 1st August 2018.

5 In the eventuality that the applicant does not appear before the learned Magistrate on/or before 1st August 2018, the investigating agency would be at liberty to arrest the applicant and take appropriate action.

(Smt. Sadhana S. Jadhav, J.)