

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 795 OF 2018**

Aaditya Dinesh Pandey & Ors.

....Applicants.

Vs.

State of Maharashtra

....Respondent.

Mr. Amrendra Mishra for the Applicant.

Mr. M.G. Patil, APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 19th JUNE, 2018.****P.C.:-**

By an order dated 23rd April 2018, the Applicants were granted interim relief and were directed to report to the Investigating Officer, on stipulated dates for the purpose of investigation.

2 Heard the learned counsel appearing for the Applicants, the learned APP and perused the record of investigation.

3 The first informant is a Corporator of ward No. 15. That, on 18th August, 2017 at about 5.30 p.m. a function was organized by the Municipal Corporation, Greater Mumbai at Kranti Udyan, Gorai Sector 1, situated at ward No.16. When the first informant had been to the said place to attend the said function, it is alleged that due to some earlier enmity, an altercation took place between the first

informant and the Applicants which ensued in a quarrel and in the said quarrel, it is alleged that the Applicants committed an offence as contemplated under Section 354 of the Indian Penal Code.

4 The record of the investigation indicates that, the Applicants have attended the Investigating Officer on stipulated dates and joined the process of investigation. It appears that the alleged act as contemplated under Section 354 of the Indian Penal Code by the Applicants was unintentional and occurred during the course of the said quarrel.

5 In view of the above and in the opinion of this Court, the custodial interrogation of the Applicants for further investigation of the present crime is not necessary.

Interim relief granted on 23rd April, 2018 is hereby confirmed. However, the condition to attend the Investigating Officer is hereby waived.

6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)