

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1047 OF 2018

Yakub Usman Kapadia	Versus	...Applicant
The State of Maharashtra		...Respondent

Mr. Anand Pande, for the Applicants.
Mr. Ameet Palkar, APP for the Respondent/State.
Mr. Kukade, PSI, Kandivali Police Station.

CORAM: A. S. GADKARI, J
DATED: 14th JUNE, 2018

PC:-

1. This is an application under Section 438 of Criminal Procedure Code filed on an apprehension of arrest in furtherance of notice dated 28/04/2018 issued by the Mumbai Municipal Corporation under Section 53(a) of Maharashtra Regional Town Planning Act, 1966. The Trial Court did not grant relief to the applicant as the Investigating Officer made a statement that, the crime has not been registered till date against the applicant.

2. Today the learned APP on instructions from the concerned Officer further makes a statement that even as of today crime against applicant has not been registered. The applicant therefore has no apprehension of arrest thereto.

3. In view thereof, the Senior Inspector of Police of the concerned Police Station is hereby directed to issue notice at least 48 hours notice in advance to the applicant in case a crime is registered in furtherance of the notice issued by the Mumbai Municipal Corporation dated 28th April, 2018.

4. Application is accordingly disposed off in aforesaid terms.

[A. S. GADKARI, J.]