

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1099 OF 2018

Shabir Suleman Tamboli

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Satyavrat Joshi for the Applicant.

Mr. S.S. Hulke APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 21st DECEMBER, 2018.

P.C.:-

At the outset, the learned counsel appearing for the Applicant submitted that, in Order dated 7th August, 2018 in para No.2 the Sections applied to the present crime have been erroneously mentioned as '*Sections 420, 406, 465, 468, 471 r/w Section 34 of the Indian Penal Code*' instead of *Sections 354 and 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children From Sexual Offences Act, 2012.*

2 The correct Sections are *Sections 354 and 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children From Sexual Offences Act, 2012.*

3 By a reasoned Order dated 7th August, 2018, the Applicant
was granted interim relief. The offences alleged against the Applicant
is under Section 354 and 506 of the Indian Penal Code and Sections 8
and 12 of the Protection of Children From Sexual Offences Act, 2012.
The police have already investigated the crime and are in the process
of submitting final report in that behalf.

4 After taking into consideration the peculiar facts of the
present case, this Court is of the considered view that, the custodial
interrogation of the Applicant for further investigation of the present
crime is not necessary.

5 In view of above, the interim relief granted by an Order
dated 7th August, 2018, is hereby confirmed.

6 The Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)