

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 1130 OF 2018**

Sunil Sarjerao Deshmukh

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Rahul Mahadik a/w Mr. Parag Pokale for the Applicant.

Ms. Rutuja Ambekar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 29th NOVEMBER, 2018.

P.C.:-

By an Order dated 14th June, 2018, the Applicant was granted interim relief and was directed to report to the concerned Police Station on stipulated dates, to co-operate in the process of investigation.

2 The allegation against the Applicant is that, he was member of the alleged unlawful assembly formed by the principal accused Suraj Laxman Lamaje, who assaulted Mr. Satish Nikam with an Axe on his head. It further appears from the record that, the Applicant carried the other accused persons from his Auto Rickshaw to the scene of offence i.e. the house of the first informant.

3 The learned counsel appearing for the Applicant submitted that, in pursuance of the Order dated 14th June, 2018, the Applicant has attended the concerned Police Station/Investigating Officer and the said Auto Rickshaw used by the Applicant for transporting and/or carrying the other accused persons, has been seized at his instance, by effecting a detailed panchanama.

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

5 In view thereof, interim relief granted by Order dated 14th June, 2018 is hereby confirmed. However, the condition to attend the concerned Police Station/Investigating Officer is waived.

6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)