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

**ANTICIPATORY BAIL APPLICATION NO.1275 OF 2018
WITH
APPP NO.921 OF 2018**

Kanifnath Tukaram Dahale & Anr.

..Applicants

Vs

The State of Maharashtra

..Respondent

Mr. Rohan Bhosale I/b Sandeep Karnik for applicants.

Ms. Rutuja Ambekar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 3rd December 2018.

P.C.:

1] By a reasoned Order dated 29th June 2018, the applicants were granted interim relief and were directed to attend the concerned Police Station on stipulated dates, to co-operate in the process of investigation.

2] Heard the learned counsel for the applicants and the learned APP for the State. Perused the record of investigation.

2] The record indicates that, the applicant No.1 has lodged CR No.484 of 2015 dated 10.12.2015 with Bhoiwada Police Station, Mumbai against the first informant in the present crime for the offences punishable under sections 465, 466, 468, 471, 420 read with 34 of the Indian Penal Code. The police after investigation of the crime, submitted chargesheet in the said crime.

3] The present crime is a counter blast to the cross complaint filed with due deliberation. The record clearly indicates that, as the police at the first instance did not lodge the crime on the complainant of first informant, as they thought it fit, the informant filed private complaint before the concerned Magistrate who has passed an Order under section 156(3) of Cr. P.C.

4] The record indicates that, in pursuance of Order dated 29.6.2018, the applicants have attended the Investigating Officer on stipulated dates and joined the process of investigation. After perusing the record, this Court is of the considered view that, the custodial interrogation of the applicants for further investigation of the present crime is not necessary.

Interim relief granted by Order dated 29th June 2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

5] Application is allowed in the aforesaid terms.

6] In view of Order passed in A.B.A. No.1275 of 2018, Criminal Application (APPP) No.921 of 2018 does not survive and the same is accordingly disposed off.

(A.S.GADKARI, J.)