

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 716 OF 2017

Ms. Rupa Choudhari ..Appellant

Vs.

The State of Maharashtra and Another ..Respondents

Mr. S. R. Phanse, for the Appellant.

Mr. J. P. Yagnik , for the Respondents.

CORAM:-**B.R.GAVAI & B. P. COLABAWALLA, JJ.**
DATE :- **JANUARY 11, 2018.**

P. C.:

By way of present Appeal, the Appellant challenges the order passed by the learned Judge thereby rejecting the application filed by the present Appellant for grant of anticipatory bail.

2 The First Information Report is lodged by the first informant who is Respondent No.2. Though a notice is issued to him the same could not be served since he had left the said address.

3 The main allegation in the FIR is that the first informant was residing in a flat purchased by his nephew, which was purchased by him from the sister of the present Appellant. The Appellant came there and started abusing the first informant on the basis of the caste.

4 The perusal of the material placed on the record would reveal that the preset Appellant has already lodged the complaint before the Police Station vide FIR No.45 of 2017 on 12th March, 2017, against the present Appellant alleging therein that when he had gone to the said flat, the first informant abused her and tried to assault her. The present FIR is filed after a period of 20 days on 1st April, 2017.

5 The learned APP, on instructions, fairly states that almost the entire investigation is complete except recording of further statement of the Appellant and obtaining certain documents from her.

6 In that view of the matter, we find that the Appeal deserves to be allowed.

7 The impugned order is quashed and set aside. The Appellant is directed to be released on bail on furnishing bail bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

8 The Appellant shall co-operate with the investigation and report to the police station as and when written intimation is called upon..

(B. P. COLABAWALLA, J.)

(B. R. GAVAI, J.)