

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1832 OF 2018

Tarunkumar @ Brahmhatt and anr. **...Applicants**

Versus

The State of Maharashtra and anr. **...Respondents**

Mr.Subhash Jha a/w. Ms.Sanjana Pardeshi i/b. Law Global
Advocates for the applicants.

Mr.Arfa Sait, APP for the respondent/State.

Mr.A.S. Dhenge, API, Charkop Police Station, Mumbai.

CORAM : PRAKASH D. NAIK, J.

DATE : 7th SEPTEMBER 2018

P.C. :

1. The applicants are apprehending arrest in connection with non-bailable warrant issued by the Court of Chief Judicial Magistrate, First Class, Indore. From the documents annexed to this application it appears that a private complaint has been filed against the applicants for offences punishable under Sections 409, 415, 418, 420 120B of the Indian Penal Code. It also appears that the concerned Court has taken cognizance of the complaint under Section 420 of the Indian Penal Code.

2. The learned Advocate appearing for the applicants submits that the applicants have not received any summon for appearing in the proceedings. It is submitted that with a view to approach the competent Court temporary protection may be granted to the applicants for a period of eight weeks from arrest.

3. The learned Additional Public Prosecutor on instructions from the officer attached to Charkop Police Station, Mumbai submits that warrant is received by them from the concerned Court. In pursuance to receipt of warrant, inquiries were made by the local police station at the address of the applicants mentioned in the cause title of the application. It was found that the applicants were not residing at the said address.

4. The learned Advocate for the applicants submits that the applicants are permanent resident of Mumbai. It is further submitted that address of the applicants will be given to the Senior Inspector of Police of Chorkop Police Station, Mumbai.

5. It appears that the non-bailable warrant was issued in respect of private complaint pending before the aforesaid Court. In this circumstance, the applicants can be granted protection for a period of eight weeks to move the appropriate Court for seeking appropriate reliefs. Hence the following order;

:: ORDER ::

- (i) In the event of arrest of the applicants in connection with non-bailable warrant issued by the Court of learned Chief Judicial Magistrate, First Class, Indore in Case No.38623/2016, the applicants be released on bail on their furnishing P.R. Bond in the sum of Rs,15,000/- each with one or more surety in the like amount by each of them.
- (ii) The applicants are directed to furnish their permanent addresses to the Senior Inspector of Police of Charkop Police Station, Mumbai.
- (iii) This interim protection is granted for a period of eight weeks with a view to enable the applicants seek appropriate relief before the competent Court.

Vina
Arvind
Khadpe

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Vina Arvind
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[PRAKASH D. NAIK, J.]