

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1833 OF 2018

Krishna Ghanshyam Lohia and anr.

...Applicants

Versus

The State of Maharashtra and anr.

...Respondents

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

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

Ms.Megha Patil, PSI, Juhu Police Station, Mumbai.

CORAM : PRAKASH D. NAIK, J.

DATE : 7th SEPTEMBER 2018

P.C. :

1. The applicants had earlier apprehended arrest in relation to complaints made by wife of applicant no.1 at Pune and preferred an application for anticipatory bail before this Court which was disposed of vide order dated 30th August, 2018. The Court recorded statement made by the APP that as on that date no crime was registered against the applicants and the applicants will not be arrested without 72 hours prior written intimation.

2. Apparently the complaint has been presently referred to Juhu Police Station and the learned APP on instructions submits that the complaint has been received only yesterday and enquiry is in progress.

3. In the circumstance, it appears that the First Information Report has not yet been registered but the complaint alleging offence punishable under Sections 498A, 504, 506, 323, 420, 406 of the Indian Penal Code has been received. In this circumstance, protection granted by this Court vide order dated 30th August, 2018 in Criminal Anticipatory Bail Application No.1678 of 2018 can be granted to the applicants.

:: ORDER ::

- (i) In the event, the respondents decide to arrest the applicants or summon them for the purpose of investigation, 72 hours advance written notice before effecting arrest be given to the applicants.
- (ii) In the event such notice is received the applicants will be at liberty to seek appropriate remedy before competent Court.
- (iii) Criminal Anticipatory Bail Application stands disposed of.

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[PRAKASH D. NAIK, J.]