

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1938 OF 2017***

Mr. Prakash Pandurang Kadam	Applicant
Versus	
The State of Maharashtra	Respondent

Mr. Sagar J. Ruparel, for the applicant.
Mrs. P.P.Shinde, APP, for the State.
Mr. Satish Aswar, PSI, Satana City Police Station present.

***CORAM : SMT. SADHANA S.JADHAV, J.
DATE : 31st January, 2018.***

P.C. :

1. Heard. This is an application under Section 438 of Cr.P.C. The applicant herein is apprehending his arrest in Crime No.415 of 2015 registered at Satara City Police Station for the offences punishable under Section 420 read with Section 34 of the Indian Penal Code.
2. By an order dated 8.11.2017, since the learned APP had submitted that the Investigating Officer was not present, the applicant was granted interim relief. It is seen from the papers of investigation that the offence is registered in the year 2015. The investigation is completed and charge-sheet is filed. The applicant has approached the Court of Sessions seeking pre-arrest bail only in the year 2017.

3. The learned counsel for the applicant, upon instructions, seeks liberty to withdraw the application. Liberty as prayed for is granted in the interest of justice. Needless to say that the interim relief granted on 8.11.2017 stands vacated.

4. The learned APP submits that in the present case, the trial has commenced and the prosecution has examined 15 witnesses

5. The learned counsel for the applicant, upon instructions, submits that the applicant would surrender before the Sessions Court on or before 5.2.2018. In view of this, the applicant stands protected till 5 p.m. of 5.2.2018. Upon failure to surrender before the Sessions Court on or before 5.2.2018, the learned Sessions Judge shall issue non-bailable warrant against the applicant forthwith.

The application stands disposed of.

(SMT. SADHANA S.JADHAV, J.)