

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

ANTICIPATORY BAIL APPLICATION NO. 2226 OF 2017

Hastimal Chandanmalji Jain **... Applicant**

V/s.

The State of Maharashtra **... Respondent**

Mr. K.K. Holambepatil for the Applicant.

Mrs. J.S. Lohokare, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 15th FEBRUARY, 2018

P.C.:

. By an Order dated 22.12.2017, the Applicant was granted interim relief.

2 Heard the learned Counsel for the Applicant and the learned APP. Perused the record of investigation.

3 It is the prosecution case in brief that, co-accused namely Smt. Radhabai committed theft in the house of first informant of valuables i.e. a gold chain with pendant (Mangalsutra) weighting about 15 grams, a cash amount of Rs.5,500/- and two mobile phones. It is alleged against the Applicant that he is the receiver of stolen property namely the said chain made up of gold.

4 The record indicates that after the receipt of said property, the Applicant has changed its original form and after melting it has converted into a gold coin. The police have already recovered the said property from the Applicant i.e. the

gold coin.

5 As the property involved in the crime has already recovered from the Applicant, this Court is of the view that the custodial interrogation of the Applicant for further investigation of the present crime is not necessary.

6 In view of the above, interim relief granted by Order dated 22.12.2017 is hereby confirmed. However, the Applicant is directed to attend the Investigating Officer as and when called for between 10.00 am to 12.00 noon and after receipt of a notice under Section 160 of Cr.P.C. and to join the process of investigation till the submission of final report.

7 Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)