

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

ANTICIPATORY BAIL APPLIATION NO.278 OF 2019

Shabana Samad Inamdar & Ors.

... Applicants

Vs.

Senior Police Inspector,
Amboli Police Station, Mumbai & Anr.

... Respondents

.....

Mr.Mateen Shaikh a/w. Jessey Payne & Adeeba Khan, Advocate for the Applicants.

Mr.S.R. Agarkar, APP for Respondent - State.

Mr.Milind D. Nagpure, API, Ambolil Police Station, Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATE : JANUARY 31, 2019.

P.C.

Applicants are apprehending arrest in connection with C.R. No.207 of 2017, registered with Amboli Police Station, Mumbai, for the offences punishable under Sections 452, 323, 324, 354, 143, 147, 149 and 427 read with 34 of Indian Penal Code ("IPC", for short). First Information Report ("FIR", for short) was lodged on 16th June, 2017. Applicants had preferred application for anticipatory bail before the Sessions Court which was rejected on 27th July, 2017. It is submitted that thereafter there is no apprehension of arrest and the parties have resolved their dispute. However, suddenly accused no.1 Shahnaz was arrested by the police, and, thereafter, applicants have preferred this application.

It is pointed out that FIR was registered from the applicants' side against the complainant and others vide C.R.No.206 of 2017, on 16th June, 2017 for offences punishable under Sections 324, 504, 354, 147, 149, 323 and 143 read with 34 of IPC. The applicants and the opponents are apparently neighbours. On account of previous quarrel, the incident had arisen. One of the accused is already arrested and bail has been granted to him. FIR at the instance of the applicant was registered first in point of time. Considering the nature of allegations in the FIR and the circumstances, as stated hereinabove, custodial interrogation of the applicant is not necessary.

2 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.278 of 2019, is allowed;

- (ii) In the event of arrest of the applicant in connection with C.R. No.207 of 2017, registered with Amboli Police Station, Mumbai,, the applicant shall be released on bail on his furnishing P.R.Bond in the sum of Rs.15,000/-, each, with one or more sureties in the like amount;

- (iii) Applicant shall report Amboli Police Station, Mumbai, as and when called for by the investigating officer, till filing of charge - sheet;
- (iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)