

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

CRIMINAL APPLICATION NO. 236 OF 2018

Vidhi J. Krishnani

... Applicant.

V/s.

The State of Maharashtra & Ors.

... Respondents.

Mr. Bernardo Reis, Advocate a/w. Siddheshwar Biradar i/by
Shailesh Kumar Rai for the Applicant.

Mrs. G. P. Mulekar, APP for the State.

Mr. Mateen Shaikh, Advocate, for the Respondent Nos.3 & 4.

CORAM : PRAKASH D. NAIK, J.

DATE : FEBRUARY 25, 2019.

PC :

1 None present for Respondent No.2, although served.

2 This is an application preferred by the first informant, challenging the order dated 24.01.2018 passed by the Additional Sessions Judge in ABA No. 996 of 2017. The Respondent Nos. 2 to 4 were granted anticipatory bail by the Additional Sessions Judge, Sessions Court, Dindoshi, Mumbai.

3 Learned counsel for the Applicant submits that on completing investigation, charge-sheet has been filed. It is

submitted that the Sessions Court while granting anticipatory bail has observed that it does not appear that accused no. 1 had any intention to outrage modesty of the informant, but the acts as mentioned in the FIR might have taken place in the free -fight, which the parties were having. It is submitted that the said observations would influence the trial court while conducting the trial and thus, it may be observed that the observations were made only for considering the application for anticipatory bail and trial court shall not be influenced by the same.

4 On perusal of the order dated 24.01.2018, it is apparent that the learned Sessions Court has already observed that the said observations are prima facie in nature. Hence, it is not necessary to further clarify the same, as the observations were of prima facie nature recorded at the time of granting anticipatory bail.

5 The application stands disposed of.

(PRAKASH D. NAIK, J.)

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