

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2669 OF 2019

Vivek Gupta	Applicant
versus	
The State of Maharashtra	Respondent

Ms.Anjali Awasthi for applicant.
Smt.A.A.Takalkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 5th December 2019

PC :

1. The applicant has preferred application before the Sessions Court for grant of bail in CR No.415 of 2019 dated 22nd November 2019 for offences under Section 420 of IPC r/w Sections 66, 66(D) and 66(C) of Information Technology Act. The application was listed for hearing before the Sessions Court on 3rd December 2019. The Court has issued notice to the Investigating Officer and the application has been posted for hearing on 11th December 2019. It is contended that the applicant is without interim protection and there is continuous apprehension that he may be arrested in the case. It is also contended that the applicant has not played any role in the alleged acts reflected in the FIR. The complainant is a doctor. She had tendered her resignation.

2. I have perused the FIR. Since the application for anticipatory bail is pending before Sessions Court, it is not appropriate to make observations on merits of case. Considering the aforesaid circumstances, without expressing any opinion on the merits of the case and since the application is pending before the Sessions Court,

interim protection can be granted to the applicant till disposal of the application before Sessions Court. The Sessions Court shall decide the application in accordance with law and on merits. Hence, I pass following order :

ORDER

- (i) In the event of arrest of applicant, pending hearing and final disposal of application of applicant being Anticipatory Bail Application No.312 of 2019 filed before Sessions Court, Panvel, the applicant be released on bail in connection with CR No.415 of 2019 registered with Kharghar Police Station, Navi Mumbai, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (ii) The Sessions Court shall decide ABA No.312 of 2019 in accordance with law and on merits;
- (iii) The effect of this order shall remain in force till final disposal of application pending before Sessions Court.

(PRAKASH D. NAIK, J.)

MST