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

ANTICIPATORY BAIL APPLICATION NO.2382 OF 2018

Faisal Maqsood Khan

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Kuldeep Patil for applicant.

Mr. Amit Palkar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 14th March 2019.

P.C.:

1] By a reasoned Order dated 11th December 2018, the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates, to join the process of investigation.

The learned APP on instructions submitted that, the applicant has complied with the said directions and has co-operated in the process of investigation.

2] The applicant is husband of the first informant. As noted earlier, the present crime is registered out of matrimonial discord and/or dispute. The record indicates that, the first informant has already filed a petition for divorce in the Family Court at Bandra, Mumbai which is subjudice for final

adjudication.

3] The observations made by the Hon'ble Supreme Court in the case of Arnesh Kumar Vs State of Bihar reported in (2014) 8 SCC 273, are squarely applicable to the present case and therefore, the applicant deserves to be protected by pre-arrest bail.

In view thereof, Interim relief granted by Order dated 11th December 2018 is hereby confirmed.

However, the condition to attend the Investigating Officer is waived.

4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)