

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

ANTICIPATORY BAIL APPLICATION NO. 2466 OF 2018

Ajay Anand Dubal	...	Applicant
Versus		
The State of Maharashtra & Anr.	...	Respondents

Mr. Sathyanarayanan for the Applicant.
Ms. S.S. Kaushik, A.P.P. for the Respondent – State.

CORAM : P.N. DESHMUKH, J.

DATED : 29th MARCH, 2019.

P.C. :

1 Heard learned Counsel for the applicant, learned A.P.P. By order dated 12.12.2018 applicant is protected by interim directions. Subject matter involved in this application is report by wife of applicant upon which offences are registered. Pending this application matter was referred for mediation, however, mediation failed. By earlier order of this Court has already noted that the report is lodged due to matrimonial dispute which is existed between the parties and has also prima facie observed that in the given set of circumstances Section 420 of I.P.C. cannot be attracted, as the locker in question was operated by applicant-complainant jointly. In fact it is found that there is no crime registered for the offence punishable under Section 420 of I.P.C.

2 In that view of the matter and as it is found and since on instructions learned A.P.P. says that the material part of investigation is complete, application is liable to be allowed as per order below :

ORDER

Interim order dated 12.12.2018 stands confirmed with directions to applicant to attend Investigating Officer if called till filing of charge-sheet.

(P.N. DESHMUKH, J.)