

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2498 OF 2018

Ravindra @ Ravi Vithal Khandekar

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Charan Penthalia for the Applicant.

Ms. J.S. Lohokare APP, for the Respondent-State.

Mr. Bodke, PSI, Gamdevi Police Station.

CORAM : A. S. GADKARI, J.

DATE : 18th MARCH, 2019.

P.C.:-

By an Order dated 6th 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.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the record of investigation. The learned APP, on instructions from the Investigating Officer, submitted that the Applicant has complied with the said conditions.

3 The first informant is the wife of deceased Krishna.

In the first information report dated 21st May, 2018 she

has in detailed narrated the entire incident which took place on 20th May, 2018 between 9.30 p.m. to 10.30 p.m. in the house. A specific allegation against Mr. Shantaram, the father-in-law of the informant causing death of Krishna is made.

The record further indicates that, in her statement recorded under Section 164 of the Code of Criminal Procedure, the first informant has given different version and has impleaded the Applicant and Mr. Vijay i.e. the brothers of deceased Krishna in the crime and expressed her suspicion over them being co-accused. The first information report is the ocular version of the first informant. As noted earlier in the first information report, the informant has given in detailed the alleged assault by Shri. Shantaram, her father-in-law and in her statement recorded under Section 164 of the Code of Criminal Procedure dated 12th June, 2018, she has only expressed her suspicion in commission of the present crime against the Applicant and co-accused Vijay.

4 In view of the above and in the opinion of this Court, the custodial interrogation of the Applicant for further investigation of the present crime is not necessary.

Interim relief granted by order dated 6th December, 2018,

is hereby confirmed. However, the condition to attend the Investigating Officer of the concerned Police Station is waived.

Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)