

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2697 OF 2018

Arun Ramvilash Gupta, Age 27 years,
R/o.Room No.6, Lane No.1, Shanti Nagar,
Sahar Village, Andheri (E), Mumbai-69.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Kamlesh Mishra I/by Uvaank Juris for applicant.

Mr.S.R.Agarkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd January 2019

PC :

1. The applicant is apprehending arrest in connection with CR lodged by his wife at Valiv Police Station. The report filed by police in the Sessions Court while opposing the application for anticipatory bail preferred by the applicant indicates that the complaint was indeed received at the instance of wife of the applicant and in that regard the applicant was called for interrogation. The Sessions Court has, however, rejected the application on the ground that no FIR is registered and therefore there is no apprehension of arrest. On perusal of the report it is apparent that the inquiry is being made in respect to the complaint filed by the wife of applicant.

2. In the circumstances, the applicant can be granted protection with direction to police to give 72 hours notice in advance in the event of arrest of applicant on registration of FIR. Hence, I pass following order.

ORDER

- (i) In the event FIR is registered against the applicant and if concerned police station intends to arrest the applicant in connection with said FIR lodged by the wife of applicant, 72 hours notice in writing be issued to the applicant;
- (ii) Criminal Anticipatory Bail Application No.2697 of 2018 stands disposed off.

(PRAKASH D. NAIK, J.)

MST