

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1547 OF 2018

Gulam Zakir Hussain @
Gulam Langda

....Applicant

v/s.

The State of Maharashtra

....Respondent

Mr. Fauzan i/by. Mr. R.B. Mokashi, Advocate for
the applicant.Mr. Aditya Deolekar i/by. Mr. Avadhut Bidaye,
Advocate for the Intervenor/first informant.

Mrs. Rutuja Aambekar, APP for State.

PSI, Vijay Dandavate, Park Site Police Station
present.***CORAM : SANDEEP K. SHINDE, J.******Monday, 27th January, 2020.*****P.C. :**

1. It is an application under Section 438 Criminal Procedure Code in C.R. No. 151/2018 registered with Park Site Police Station for the offences punishable under Sections 395 and 397 of the Indian Penal Code. Respondent no.2 herein is

the complainant. Out of seven accused, six accused are either released on bail or have been granted pre-arrest bail.

2. The alleged incident had taken place on 19th March, 2018 which also gave rise to a cross complaint registered vide C.R. No. 152/2018. In this C.R. all the accused have been granted bail. Learned APP, on instructions, submits that final report has been filed in both the crimes.

3. Besides, it appears from the order dated 28th August, 2018 passed by this Court, that the complainant in both the crimes have settled the dispute amongst themselves. Affidavit filed by the complainant in Crime No. 151 of 2018 is taken on record and marked X-1 for identification. In view of the facts of the case and the settlement arrived at between the parties and also since investigation is over, in my view, custodial interrogation of the applicant is not required. The Anticipatory Bail Application is allowed.

4. In the event of arrest of the applicant,

in C.R. No. 151/2018 registered with Park Site Police Station, he shall be released on bail on furnishing P.R. Bond of Rs.20,000/- (Rs. Twenty Thousand only) with one or two sureties in the like sum.

5. The applicant shall attend the concerned Police Station as and when called.

6. The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.

7. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

8. It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of granting bail and

the same shall not in any way influence the trial
in other proceedings.

(SANDEEP K. SHINDE, J.)