

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.88 OF 2021**

Abdul Tayyab Kuresh Bahrainwala .. Applicant

Versus

The State of Maharashtra .. Respondent

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Mr.Girish Kulkarni i/b Mr.Aditya Mithe for the Applicant.

Mr.Ajay Patil, APP for the State.

API Swaraj Patil attached to Kondhwa Police Station, Pune City present.

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CORAM: BHARATI DANGRE, J.

DATED : 17th JULY, 2021

P.C:-

1. On 29th January, 2021, the applicant was admitted to interim protection, in the event of his arrest, by recording the statement of the learned APP that neither the complainant nor the witnesses mentioned in the FIR by the complainant, are coming forward to assist the investigating agency for carrying out the investigation of offence being C.R.No.1057 of 2020, which invokes Sections 143, 147, 149, 380, 427, 447, 504 and 506 of the IPC.

2. Today, the learned APP, on instructions of the Investigating Officer, continues with the said statement and reports that there is no further progress in the investigation

as the situation continue to remain the same. In such circumstances, if the complainant himself is not interested in prosecuting the case, the applicant cannot be denied the protection.

3. Confirming the protection granted in favour of the applicant on 29th January, 2021, with a modification that the applicant shall attend the concerned police station as and when called for, the application stands disposed of on the same terms and conditions as enumerated in the order dated 29th January, 2021.

SMT. BHARATI DANGRE, J