

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

ANTICIPATORY BAIL APPLICATION NO. 1273 OF 2021

Ganesh Punaram Chaudhary Applicant

Versus

The State of Maharashtra Respondent

Mr. Jagadish B. Choudhary a/w Ranvir Shekhawat i/b Raj Legal,
for the applicant.

Smt. Rutuja Ambekar , APP for the State/Respondent.

CORAM :SARANG V. KOTWAL, J.

DATE : 21st MAY, 2021

(Through Video Conferencing)

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 85 of 2021 registered at Rasayani Police Station, Raigad on 13/05/2021, under sections 306 and 498-A of the Indian Penal Code.

2. Heard Mr. Jagdish Choudhary, learned counsel for the applicant and Smt. Rutuja Ambekar, learned APP for the State.

3. The applicant has already filed an Anticipatory Bail Application before the Court of Sessions at Panvel. Vide Order dated 18/5/2021, learned Judge had kept that application on 27/05/2021. However, no order was passed regarding the interim relief. Only notice was issued to the Investigating Officer. Therefore the applicant has approached this Court. Prayer in this application is for anticipatory bail in connection with same offence. Since the application is pending before the Sessions Court, Panvel, I am not entering into the merits of the matter.

4. I have asked learned APP to take instructions from the Investigating agency whether they intended to arrest the applicant during pendency of the application before the Sessions Court, Panvel.

5. Learned APP on instructions of the Investigating Officer who is present in the Court, makes a statement that till 27/05/2021, applicant shall not be arrested by the Investigating agency. Such statement is recorded.

6. In this view of the matter, learned Counsel for the applicant prays for withdrawal of this application to pursue his remedy before the Sessions Court.

7. Considering this submissions and statement made by the Investigating Agency, the application is disposed of by recording statement made by the Investigating agency.

8. It is made clear that the Sessions Court shall decide Anticipatory Bail Application without being influenced by withdrawal of this application and shall decide the application on its own merits in accordance with law.

(SARANG V. KOTWAL, J.)