

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

ANTICIPATORY BAIL APPLICATION NO. 1508 OF 2021

Darshit Janak Shah ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Jigar Agarwal a/w Mr. Aashish Dubey, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for the Respondent – State.

Mr. Nilesh Nalawade, Goregaon Police Station, Mumbai Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 30th JUNE, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 724 of 2018 registered with Goregaon Police Station, Mumbai for offence under Section 354 of Indian Penal Code (for short “IPC”).

2. The complaint was lodged on 12th December, 2018. It is alleged that while the complainant was walking on the road, one unknown person came towards her and outraged her modesty. On questioning he apologised. She shouted. He was apprehended. He was taken to Police Station.

3. It is apparent that the applicant was taken to the Police Station on the same day, however, he was not arrested.

4. The contention of applicant is that since 2018 he is not

arrested. If his custody was required he would have been arrested on same day. Since as alleged he was taken to Police Station on same day. The applicant is working with J.P Morgan. Assuming allegations to be true, custodial interrogation is not necessary.

5. Learned APP on instructions submits that the investigation had proceeded and the charge-sheet will be filed shortly.

6. FIR is lodged in 2018. Investigation is over. Considering these circumstances, the applicant need not be subjected to custodial interrogation.

ORDER

- (i) Anticipatory Bail Application No. 1508 of 2021 is allowed;
- (ii) In the event of arrest of the applicant in connection with in C.R. No. 724 of 2018 registered with Goregaon Police Station, Mumbai, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall appear before the investigating officer as and when called for till filing of charge-sheet.
- (iv) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)