

ISM

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

ANTICIPATORY BAIL APPLICATION NO. 1826 OF 2021

SHREE RUSHABH PRADEEP SHROFF AND ANRAPPLICANTS

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

WITH

INTERIM APPLICATION NO. 2962 OF 2021

IN

ANTICIPATORY BAIL APPLICATION NO. 1826 OF 2021

RAJESH MEWAWALA

....APPLICANT

IN THE MATTER BETWEEN

SHREE RUSHABH PRADEEP SHROFF AND ANRAPPLICANTS

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Aabad H. Ponda, Senior Advocate i/b Mr. Shailesh Kharat for the applicants

Ms. Sharmila S. Kaushik APP for the State

Mr. Hrishikesh Mundargi i/b Paavani Chaddha for intervener

Mr. Govind Kakde, API, Malabar Hill Police Station

CORAM : NITIN W. SAMBRE, J.

DATE: DECEMBER 9, 2021.

P.C.:

1] Applicant is seeking pre-arrest bail in C.R. No. 37/2021 registered with Malabar Hill Police Station, Mumbai for Offences

punishable under Sections 409, 506 r/w 34 of the Indian Penal Code.

2] Prayer for bail is objected by counsel for the complainant.

3] Learned APP on instructions from the Investigating Officer that evidence collected during investigation does not warrant or justify custodial interrogation of the applicant.

4] In the aforesaid background, keeping the right of the applicant in tact that in case if in future, Investigating Officer intends to arrest the applicant, applicant will be at liberty to approach this Court.

5] Needless to clarify that in case if the Investigating Officer needs custody of the applicant, he shall issue 72 hours notice to that effect.

6] Application for pre-arrest bail alongwith intervention application stand disposed of with above observations.

[NITIN W. SAMBRE, J.]