

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2057 OF 2021

Venessa De Souza and anr	.. Applicants
Versus	
The State of Maharashtra	.. Respondent

...

Mr. Manoj Mohite, Sr. Counsel with Mr. Ravindra Keshavrao Adsure, Siddheshwar Biradar, Yash Sonawane, Yogesh Joshi for the applicant.

Mr. S.S. Pednekar, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 31st AUGUST, 2021

P.C:-

1 The applicant is constrained to approach this Court being aggrieved by the order dated 26th August 2021 by which the Application (Exhibit-4) seeking ad-interim pre-arrest bail in Crime No.95 of 2021 registered with Lashkar Police Station, Pune thereby invoking Section 420, 406, 385 r/w 34 of the IPC, has been rejected.

2 On perusal of the order, it is apparent that the order passed by this Court in Criminal Application No.609 of 2021 was brought to the notice of the learned Judge and on recording the *prima facie* allegations, the Court has noted that it would be appropriate to call the say of the prosecution before considering the application and therefore, the prayer for ad-interim protection came to be rejected.

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3 By the very same order, notice is issued to the prosecution, making it returnable on 3rd September 2021.

4 Without dealing with the merits of the matter, since the Application filed under Section 438 of the Cr.P.C, is pending before the Addl. Sessions Judge, Pune and the say of the prosecution is called on 3rd September 2021, and also in the light of the statement made by the learned APP that no coercive steps would be taken against the applicant before the returnable date, when the prosecution has been directed to file its say, the applicant deserves a protection for the limited period.

5 The Addl. Sessions Judge, Pune shall proceed with the Application on 3rd September 2021 and conclude it on the same day with utmost promptitude, considering the nature of relief sought. If the matter is required to be rescheduled on the next date, the Sessions Court shall pass necessary orders to ensure that Application is not rendered infructuous.

6 With the aforesaid directions, application stand disposed of.

SMT. BHARATI DANGRE, J