

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

ANTICIPATORY BAIL APPLICATION NO. 1616 OF 2019

Shankar Hanumant Dhaware & Anr.	 Applicants
versus	
The State of Maharashtra	 Respondent

**WITH
CRIMINAL APPLICATION NO. 1156 OF 2019
IN
ANTICIPATORY BAIL APPLICATION NO. 1616 OF 2019**

Tukaram Narhari Jadhav	...Intervener
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In the matter between

Shankar Hanumant Dhaware & Anr.	 Applicants
versus	
The State of Maharashtra	 Respondent

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Mr. Vikram R. Sutaria, Advocate for Applicants in ABA No.1616/19.

Smt. J. S. Lohokare, APP for the State/Respondent.

Ms. Vaishnavi Gholane i/b. Mr. Vinod P. Sangvikar for Intervener(APPA/11156/19).

Police Constable/2031 Mr. S. S. Bagal, Karmala Police Station present.

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**CORAM : SARANG V. KOTWAL, J.
DATE : 15th FEBRUARY, 2021**

P.C. :

1. In this matter, the applicants are seeking anticipatory bail in connection with C.R.No.1016/2018 registered with Karmala Police Station, under Sections 420, 421, 467 r/w 34 of the Indian Penal Code.
2. At the outset, the learned APP makes a statement that in this case 'A' summary report is filed. The result of the investigation is that the offence is not made out. Summary Report is already tendered in the Competent Court. The statement is recorded and accepted. In view of this statement, nothing survives in this application because the Investigating Agency has already reached the conclusion that no offence is made out. Therefore, following order is passed.

ORDER

- (i) The application is disposed of as having rendered infructuous.
- (ii) In case, in future, in connection with the same offence, the Investigation Agency seeks custody of the present applicants, they shall give three clear working days' notice to the applicants

to enable the applicants to approach the appropriate Court for appropriate remedy.

(iii) A copy of the report tendered by the learned APP which is a copy addressed to the Public Prosecutor's office is taken on record and marked "X" for identification.

(iv) In case, the statement in the report is found to be false or the complainant has some grievance about the statement, he is granted liberty to move an application for cancellation of this order.

(v) The application is disposed of.

(vi) With disposal of this application, nothing survives in APPP No.1156/2019 in Criminal ABA No.1616/2019 and even that application is disposed of.

(SARANG V. KOTWAL, J.)