

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

ANTICIPATORY BAIL APPLICATION NO. 2108 OF 2019

Colonel Satnam Singh Maini (Retd)
and Ors.
V/s.

.. Applicants

The State of Maharashtra

..Respondent

Ms. Kriya Jain a/w Sameer Sharif i/b Suhail Shariff for the
Applicants.

Mr. Y.Y. Dabke, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 07TH AUGUST, 2021

PC.

1. The Applicants apprehending arrest in connection with investigation of Crime No. 311 of 2019 of Police Station Amboli, Mumbai under Section 448, 380 read with Section 34 of IPC are seeking anticipatory bail.

2. The record discloses that on 27.09.2019 this Court had granted interim protection to the Applicants *inter alia* on the condition of attendance with the Investigating Officer. According to the Applicants, they are joint owners of Flat No. B-2501, Western

**SNEHA
NITIN
CHAVAN**

Digitally signed
by SNEHA
NITIN CHAVAN
Date: 2021.08.09
16:25:39 +0530

Height Adani Building, J.P. Road, Opp. Gurudwara, Andheri (W), Mumbai. The said flat was given on leave and licence basis to the complainant for a period of 33 months for residential purpose. As the complainant was not using the flat for residential purpose, but for commercial purpose, he was asked to vacate the same. The complainant alleges that the Applicants had forcibly entered the flat and had removed the belongings i.e. household articles from the said flat.

3. The learned APP on instructions from the Investigating Officer, who is present today points out that the investigation is complete and therefore, the custody of the Applicants is not required for the purpose of investigation. The learned APP points out that by virtue of order dated 13.03.2020 passed in Writ Petition No. 6377 of 2019 filed by the Applicants, the Investigating Officer is directed not to file the chargesheet without seeking permission of this Court. In any event, in the present application, I am only concerned with the prayer for anticipatory bail.

4. In view of the specific statement made on behalf of the Investigating Officer that investigation is complete and the custody of the Applicants is not required, the present application is disposed

of in terms of the order dated 27.09.2019 subject to the condition that the Applicants shall not tamper with the prosecution evidence or witnesses.

C.V. BHADANG, J.