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

**ANTICIPATORY BAIL APPLICATION NO. 1056 OF 2022**

Shri Coover Firoz Daruwalla and Anr. ... Applicants  
*Versus*  
State of Maharashtra and Anr. ... Respondents

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Mr. Ashok B. Tajane for the Applicants.  
Mr. A. A. Palkar, APP for the State.

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**CORAM : VINAY JOSHI, J.  
DATE : 19<sup>th</sup> APRIL, 2022**

**P.C. :-**

. The applicants are seeking for pre arrest protection in connection with Crime No. 17 of 22 registered with Lashkar Police Station, Pune for the offence punishable under Sections 336, 447, 448, 452, 509, 504, 506 read with 34 of the Indian Penal Code.

2. It is brought to the notice that, earlier the applicants had applied for pre arrest bail to the Court of Sessions, Pune vide Criminal Bail Application No. 1440 of 2022 in which *ad-interim* protection was refused vide order dated 4<sup>th</sup> March, 2022, however, the bail application was not taken for final hearing for one or other reasons.

3. Since, the bail application is pending before Sessions Court, there is no propriety in entertaining this application on merits. Pertinent to note that, though Sessions Court refused to grant interim protection, has not decided the main application finally. In all fairness, the Sessions Court ought to have decided main application so that the

applicants would approach higher Court in case of rejection.

4. Perusal of FIR, *prima-facie* discloses that the allegations against the applicants are only about abuses and threats by arriving at the place of occurrence. Having regard to above peculiar facts, the following order would suit the purpose :-

- (a) In the event of arrest, applicants namely Shri Coover Firoz Daruwalla and Sou. Khushnuma Coover Daruwalla shall be released on interim bail in connection with Crime No. 17 of 22 registered with Lashkar Police Station, Pune for the offence punishable under Sections 336, 447, 448, 452, 509, 504, 506 read with 34 of the Indian Penal Code, on their furnishing P. R. Bond of Rs.25,000/- each with one or two sureties in the like amount.
- (b) The above interim order would remain in force till the decision of Criminal Bail Application No.1440 of 2022 pending before the Sessions Court, Pune.
- (c) Learned Session Judge is requested to decide the concerned bail application expeditiously and preferably within two weeks from the receipt of the intimation.
- (d) Application stands disposed in above terms.

**[VINAY JOSHI, J.]**