

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1962 OF 2022

Ashish Shahilendrakumar Shingh .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Mr.Sunny Waskar with Dilip Gupta, Harshada Morey i/b Ashok Shukla for the applicant.
Mr.S.H.Yadav, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 21st JULY, 2022

P.C:-

1 The applicant was issued with a notice u/s.41(A) of Cr.P.C by the Investigating Officer being accused of the offences punishable u/s.498A, 327, 406, 504, 506 IPC.

 He has, however, chosen to approach the Sessions Court at Dindoshi, apprehending arrest and his application is rejected.

2 In the wake of the decision of the Apex Court in case of Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, where the police officers are expected to issue notice u/s.41(A) and abide by the said provision when the offence is punishable with a penalty

less than 7 years of Imprisonment, upon a notice being issued to the applicant, shall report to the Investigating Officer as directed.

2 The Investigating Officer shall follow the procedure prescribed in the said provision and in case, if he is desirous of arresting him, he shall issue 48 hours notice to the applicant.

(SMT. BHARATI DANGRE, J.)