

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2015 OF 2022

Mohd. Gaffar s/o Mohd Haneef .. Applicant

Versus

The State of Maharashtra .. Respondent

...

Mr. Shaikh Abdul Kalam for the applicant.

Mr. S. H. Yadav, APP for the State.

PI Shri M. G. Suryawanshi from Malvani police station.

CORAM: BHARATI DANGRE, J.

DATED : 22nd AUGUST 2022

P.C:-

1 On 25/7/2022, recording a prima facie case in favour of the applicant, he came to be released. He was directed to report to the police station and render his co-operation.

2 The learned APP state that the applicant has reported to the police station and has surrendered his mobile phone, but the said phone is purchased by him recently, and therefore, no material as regards the accusations faced by him was obtained in the said mobile.

3 The accusations faced by the applicant are from the year 2019-2022 and the complainant herself has chosen to approach the police station on 27/5/2022.

During this period of three years, the applicant has changed his mobile and this fact cannot be said to be inculpatory and it is not uncommon that the person would replace his mobile in few period of time.

4 Considering the aforesaid, since the applicant has reported to the Investigating Officer and his custodial interrogation is not warranted, the order dated 25/7/2022 is confirmed.

(SMT. BHARATI DANGRE, J.)