

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2186 of 2022**

Rachna Daulat Torani .. Applicant

Versus

The Deputy Commissioner of Police and .. Respondents
ors

WITH
INTERIM APPLICATION NO. 2683 of 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 2186 OF 2022

Dinesh Jaya Pujary .. Applicant

Versus

The State of Maharashtra .. Respondent

...

Mr.Rizwan Merchant with Swapnil Wagh and Akshay Bafna for the applicant.

Mr.Shehzad Naqvi with Sana A. Samad for the intervenor.

Mrs.Anamika Malhotra, APP for the State.

PI Shri Sanjay Dhonnar from Colaba police station.

CORAM: BHARATI DANGRE, J.

DATED : 12th AUGUST 2022

P.C:-

1 The applicant is apprehending her arrest in connection with C.R.No.270/2022 which invoke Sections 294(b), 427, 448, 500, 504, 504, 506, 509 IPC along with

Sections 66(c), 67 and 67(A) of the Information Technology Act, 2000.

2 Except Section 67A of the I.T Act, all other offences are bailable.

Section 67 prescribe punishment for publishing or transmitting of material containing sexually explicit Act except electronic form and make the act punishable on first conviction with imprisonment of either description for a term which may extend to five years and with fine which may extend to Ten lakh rupees.

Considering the accusation levelled in the complaint, the Investigating Officer had issued a notice u/s.41A to the applicant on 29/7/2022, asking her to report before the Colaba police station on 30/7/2022.

3 The learned counsel for the applicant Mr.Merchant make a specific statement that she had responded to the said notice. The learned APP admit that she had reported to the Investigating Officer, but according to her, she has failed to respond to the questionnaire which was forwarded to her which would have assisted the Investigating Officer in proceeding with the investigation.

4 The learned counsel Mr.Merchant states that the applicant shall report to the Investigating Officer on 20/8/2022 between 2.00 pm to 5.00 pm.

5 The PI, Colaba police station, shall issue notice u/s.41 A of Cr.P.C and shall strictly abide by the said notice, and in case, if he is desirous of effecting the arrest of the applicant, he shall record reasons in writing.

 In case the arrest is to be effected, the applicant shall be given 48 hours notice.

 With the aforesaid directions, application is disposed off.

 In view of the disposal of ABA, IA No. 2683/2022 do not survive and is disposed off accordingly.

(SMT. BHARATI DANGRE, J.)