

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2411 OF 2022**

Dhiraj Omprakash Soni	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Hiren Mehta for the Applicant.

Ms.Veera Shinde, APP for the State.

CORAM : BHARATI DANGRE, J

DATE : 5th SEPTEMBER, 2022.

P.C.

1] The learned APP state that she will ascertain whether notice under Section 41-A has been issued.

Even if the notice is not issued, it is imperative for the Investigating Officer to issue notice under section 41A of the Cr.P.C. since primary offence invoked is under Section 498A of the Indian Penal code and the Applicant is father-in-law of the complainant.

The Applicant is expected to respond the said notice.

2] If not already issued, such notice shall be issued within a period of 7 days from today. The Investigating Officer shall follow procedure prescribed under Section 41A of the Cr.P.c. and record reasons in case if he comes at a conclusion that custodial interrogation of the Applicant is very much necessary for completing the investigation. He shall also

issue 72 hours notice in advance in case if he is desirous of effecting arrest.

3] In the wake of above, Application is disposed off.

[BHARATI DANGRE, J]