

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2892 OF 2022

Indrabali Ramdhani Saroj & Ors. .. Applicants

Versus

The State of Maharashtra .. Respondent

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Mr.Vaibhav G. Bagade with Mr.Aman Kothari for the Applicants.

Ms.A.A.Takalkar, A.P.P. for the State/Respondent.

Mr.Amanjhot Anand i/b Mr.H.S.Anand for the Intervenor.

PSI K.P.Sautade, attached to Malwani Police Station, present.

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CORAM: BHARATI DANGRE, J.

DATED : 17th OCTOBER, 2022

P.C:-

1. The applicants face accusations under Sections 354, 509, 506(2) read with Section 34 of I.P.C. in C.R.No.1140 of 2022, registered with Malwani Police Sattion.

2. On being confronted with the Director General Standing Order No.03 of 2022, the Investigating Officer, makes a statement that he made an attempt to serve notice under Section 41A of Cr.P.C. upon the applicants, but it could not be served due to incomplete address.

Learned counsel for the applicants makes a specific statement that the addresses mentioned in the application are the true and correct addresses of the applicants and even the complainant is residing in the same locality.

3. In the wake of the above statement, let the applicants report to the Investigating Officer on 19/10/2022 between 10.00 a.m. to 12 noon to collect their notices.

Upon receipts of the notices, the applicants shall appear before the Investigating Officer within seven days and upon their appearance, the Investigating Officer shall follow the mandate set out under Section 41A of Cr.P.C. and shall record reasons in writing, in case, he comes to the conclusion that the arrest is necessary. Before effecting the arrest for the purpose of custodial interrogation, he shall serve 72 hours notice to the applicants.

4. With the aforesaid direction, the application stands disposed off.

(SMT. BHARATI DANGRE, J.)