

Diksha Rane

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.3086/2022

IMRAN AHMAD ALI KHAN	..APPLICANT
VS.	
STATE OF MAHARASHTRA	..RESPONDENT

**WITH
INTERIM APPLICATION (ST) NO.19761/2022
IN
ANTICIPATORY BAIL APPLICATION NO.3086/2022**

ALAM ALI MUKARAM ALI KHAN	..APPLICANT
VS.	
STATE OF MAHARASHTRA	..RESPONDENT

Mr. S. A. Shaikh a/w. Mr. Shafi Shaikh and Mr. Fakhru Khan
for the applicants.

Mr. S. V. Gavand, APP for State.

Mr. Shahid Pathan for the complainant.

Mr. P. N. Sanap, PSI, Trombay Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 23, 2022.

P.C. :

1. Heard learned counsel for the applicant and learned
APP.

2. The pre-arrest bail is sought in respect of the C.R.No.
444/2022 registered with Trombay Police Station for the
offence punishable under Sections 420, 465, 468, 471, 406,

504, 506 of the Indian Penal Code. Some of the sections are subsequently added.

3. Learned APP submitted that in response to the notice under Section 41A of the Code of Criminal Procedure (hereafter 'the Cr.PC' for short), the applicant has not co-operated with the investigation.

4. Learned counsel for the applicant submitted that one of the point raised by him is that the present Investigating Officer should not conduct the investigation. He nonetheless submits that the applicant is willing to co-operate with the investigation.

5. Keeping the contention of the applicant open, since the applicant is willing to co-operate with the investigation and report to the Investigating Officer in compliance with the notice under Section 41A of the Cr.PC, the applicant is directed to report to the Investigating Officer, Trombay Police Station, on 26th, 27th and 28th, November, 2022, between 11.00 a.m. and 1.00 p.m. and thereafter, as and when called.

6. If the Investigating Officer wants to effect arrest of the

applicant, he may do so after recording reasons and putting the applicant on 72 hours notice.

7. The application is disposed of.
8. The Interim Application is also disposed.

(M. S. KARNIK, J.)