

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.145 OF 2022

Shashikant S/o Veerantappa Gajjari

Versus

State of Maharashtra, through P.S. Awadhootwadi, Dist. Yavatmal

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Soumitra Paliwal, Advocate for the applicant.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

Shri Vivek Avchat, Assist to prosecution.

CORAM : ANIL S. KILOR, J.

DATED : 15/03/2022

1. This Court on 08.03.2022, granted *ad-interim* anticipatory bail in the present crime, i.e. Crime No.58 of 2022, dated 24.01.2022, registered with Police Station Awadhootwadi, District Yavatmal for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code.

2. Shri Paliwal, learned counsel for the applicant stated that though the Investigating Officer did not call the applicant, he on his own attended the Police Station on Friday i.e. on 11.03.2022. It is submitted that the custody of the applicant is not necessary in this matter.

3. Shri Sirpurkar, learned APP opposes the application and submits that from the contents of the

First Information Report, the involvement of the applicant is clear.

4. Shri Vivek Avchat, learned counsel for the complainant, who is assisting the prosecution strongly opposes the application and submits that in view of the allegations made in the First Information Report, this application may be rejected.

5. After considering the contents of the FIR and the allegations made in the FIR, there is nothing to show that the custody of the applicant is necessary in the alleged offence. Moreover, the Investigating Officer did not call the applicant for investigation. However, he himself attended the Police Station.

6. In that view of the matter, I am of the opinion that the order dated 08.03.2022, granting *ad-interim* anticipatory bail needs to be confirmed. Accordingly, I pass the following order:

- a) The application is **allowed**.
- b) Order passed by this Court on 08.03.2022, granting *ad interim* anticipatory bail, is confirmed.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]