

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL APPLICATION (BAIL) NO.26 OF 2022
WITH
CRIMINAL APPLICATION (BAIL) NO.25 OF 2022

CRIMINAL APPLICATION (BAIL) NO.26 OF 2022

Kalpesh Deepak Surlakar ... Applicant

Versus

State of Goa thr. Police
Inspector Mapusa Police
Station And Anr. ... Respondents

WITH
CRIMINAL APPLICATION (BAIL) NO.25 OF 2022

Deepak Madhav Surlakar ... Applicant

Versus

State of Goa thr. Police
Inspector, Mapusa Police
Station And Anr. ... Respondents

Mr Deepak Gaonkar with Mr Amey Salgaonkar, Advocates
for the Applicants.

Mr S. G. Bhobe, Public Prosecutor for the Respondents.

CORAM: M. S. KARNIK, J.

DATED : 6th MARCH 2023

P. C.

1. Heard learned counsel for the applicants.

2. These are applications filed by the accused no.1 and 2. The applicants filed anticipatory bail applications apprehending arrest in respect of Crime No.218/2021 under Section 406 and 420 of Indian Penal Code. The intervenor is present and has filed application for intervention.

3. It is pointed out by learned counsel for the applicants that during the pendency of these applications, charge-sheet has been filed. In this view of the matter learned counsel for the applicant seeks leave to approach the jurisdictional magistrate. The apprehension of the learned counsel for the applicants is if the investigating agencies want to further investigate into the matter, there is likelihood that the applicants may be arrested. This apprehension of the applicants in my opinion is not well founded. The investigating agency in any case will have to approach the jurisdictional magistrate seeking appropriate permission to investigate further into the matter under Section 173(8) of Cr.PC. The applicants in any case have submitted themselves before the jurisdictional magistrate. In this view of the matter it will always be open for the applicants to make a fresh application for anticipatory bail if the situation so demands.

4. Keeping this liberty open, the present applications are disposed of.

M. S. KARNIK, J.