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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.519 OF 2021
WITH
INTERIM APPLICATION NO.1072 OF 2021**

Yakoob Rasulbhai Chamdawala & ors. ...Applicants
vs.
The State of Maharashtra ...Respondent

Mr. Abdul Wahab Shaikh i/b Mr. Mohd. Umarkazi, Advocate for the Applicants.

None for the Applicants in IA/1072/2021.

Mr. S. R. Agarkar- APP, for the Respondent-State.

Mr. Amol Khonde, PI from Khadakpada police station present.

CORAM : S. M. MODAK, J.

DATED : 5TH JUNE 2023

P. C. :

1. Heard learned Advocate for the Applicants and learned APP for the Respondent-State.
2. This Court has already granted interim protection as per order dated 1st March 2021. The offence is registered under sections 199, 200, 420, 467 and 471 of the IPC.
3. Even it is submitted that the Investigating Agency has filed "C" final report before the Court of Judicial Magistrate, First Class, Kalyan. Its copy is annexed. It is taken on record and marked as Annexure "X". There is mention that the FIR is lodged due to

misunderstanding.

4. Learned Advocate for the Applicant submitted that yet final order is not passed on the said report. He further submitted that one quashing petition filed by the Applicant is also pending.

5. As “C” summary report is filed, there is no point in keeping this Application pending, as now there is no apprehension about arrest. This Application is disposed of with following directions:--

- a. Let learned Magistrate seized of the matter to take decision as per merits.
 - b. If there is adverse order passed against the Applicant, they are at liberty to move afresh.
 - c. In that eventuality, if the Investigating agency wants to arrest these Applicants, let the Applicants be given 72 hours advance notice.
 - d. This is not notice to be considered as notice under section 41-A of the Code of Criminal Procedure. These directions are given in view of peculiar circumstances.
6. Application is disposed of accordingly.

[S. M. MODAK, J.]