

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

**ANTICIPATORY BAIL APPLICATION NO.681 OF 2023
WITH
INTERIM APPLICATION NO.1391 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.681 OF 2023**

1. Dhaval Tulsidas Somaiya
2. Kishore Khilumal Chjwani

...Applicants

Versus

The State of Maharashtra

...Respondent

...

Mr. Aditya Sharma with Mr. Sagar Shah, Priya Maurya and Mr. Harsh Chaudhary for the Applicant.

Mr. S.V. Gavand, APP for the Respondent-State.

Mr. Bharat Rane, PSI, Kandivali Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th APRIL, 2023.

P. C. :-

1. At the outset, learned counsel for the Applicants seeks leave to amend prayer clause (a). Leave is granted. Amendment to be carried out forthwith.

2. The Applicants seek pre-arrest bail in Crime No.60 of 2023 registered with Kandivali (West) Police Station, Mumbai, for the offences punishable under Sections 120-B, 379, 425, 427, 441, 442 and 506 r/w 34 of the IPC.

2. Heard Mr. Sharma, learned counsel for the Applicants and Mr. Gavand, learned APP for the Respondent-State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. This Court by order dated 06/03/2023 granted interim protection to the Applicants. Detail reasons have been given in the said order for granting interim protection.

4. Learned APP states that pursuant to the said order, the Applicants have reported to the Investigating Officer and that they have been interrogated. He states that presence of the Applicants is not required for custodial interrogation.

5. Considering the said statement as well as the reasons stated in the order dated 06/03/2023, this is a fit case to exercise discretion under Section 438 of the Cr.P.C. Hence, order dated 06/03/2023 is confirmed. The Applicants are directed to report to the Investigating Officer as and when required by the Investigating Officer.

6. The Applicants shall not tamper with the prosecution evidence and or influence the witnesses in any manner.

7. The Applicants shall keep the Investigating Officer informed of their current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

8. The anticipatory bail application as well as the interim application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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