

Sayali Upasani

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

ANTICIPATORY BAIL APPLICATION NO. 2889 OF 2023

Ravji Netaji Gosavi ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr.Dhananjay Bhosale with Stefy Dias i/b Umesh
mankapure, for Applicant.

Mrs. A. A. Takalkar, APP for State.

Mr. Salunke, HC, Sangli Police Station, Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 30th NOVEMBER, 2023

PC:-

- 1) Heard the learned counsel for the applicant and the learned APP for the State.
- 2) When the application was listed before the Court on 23rd October, 2023, this Court was persuaded to grant interim protection ascribing reasons. It was, *inter alia*, observed as under:-

“...7. Prima facie, the prelude to lodging the instant first information report in the form of C.R. No. 81 of 2023 is such that it cannot be lost sight of. The husband of the first informant herein is one of the accused in the said first information report. The delay of about 28 days in lodging of the instant report if considered in the light of the fact that the said first information report No. 81 of 2023 was lodged on 14th July, 2023 also merits consideration. A conjoint reading of the first information reports indicates that the families are at logger heads over the death of the husband of the first informant in C.R. No. 81 of 2023 and the resultant prosecution. In the said matter, the first informant in C.R. No. 81 of 2023, and her brother were arrested.

8. Ordinarily, the Court would be loathe to exercise the discretion in the face of the allegations of the present nature. However, in the aforesaid view of the matter and a strong prima facie case on account of animosity between the parties, I am inclined to grant interim protection.

3) Pursuant to the aforesaid order, the Court is informed that the applicant had appeared before the Investigating Officer and co-operated with the investigation.

4) The learned APP submits that in the instant FIR, charge-sheet was already lodged on 14th September, 2023.

5) For the reasons which weighed with this Court in granting the interim protection, which bear upon the veracity of the first informant's version in the context of the inimical relationship between the parties, at this stage, when the investigation seems

to be complete for all intent and purpose, further custodial interrogation of the applicant does not seem to be warranted.

6) I am, therefore, inclined to make the interim order absolute.

7) The order of Interim Bail dated 23rd October, 2023 is made absolute on the terms and conditions incorporated therein.

8) The applicant shall henceforth appear before the Investigating Officer as and when directed.

9) The applicant shall regularly attend the proceedings before the jurisdictional Court.

10) The application stands disposed.

[N. J. JAMADAR, J.]