

Sayali Upasani

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

ANTICIPATORY BAIL APPLICATION NO. 3452 OF 2022

Ramnisa Bano Akhtar Khan ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Pankaj S. Pandey, for Applicant.

Mr. S. H. Yadav, APP for State.

Mr. S. Owais Jahagirdar, for Respondent No. 2.

Mr. Dhananjay Chava, API, Mumbra Police Station, Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 2nd NOVEMBER, 2023

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) By an order dated 13th December, 2022, this Court was persuaded to grant interim protection ascribing reasons. It was, *inter alia*, noted that an agreement was executed between the first informant and the applicant's husband for the development of the very same property which is the subject matter of the present FIR. The Court has also recorded a prima facie view that the dispute between the parties appeared to be of a civil nature.

3) In the intervening period, investigation seems to be complete as charge-sheet has already been lodged. At this length of time and having regard to the nature of the accusation, further custodial interrogation of the applicant does not seem to be warranted.

4) In the aforesaid view of the matter, the order of Interim Bail dated 13th December, 2022 is made absolute on the terms and conditions incorporated therein.

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

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

7) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.

8) The application stands disposed.

[N. J. JAMADAR, J.]