

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO. 3297 OF 2023**

Mr. Pankaj Kumar Sinha

... Applicant

V/s.

Union Territory of Dadra & Nagar Haveli and

Daman & Diu Through It's Administration

(Through Coastal Road Police Station)

... Respondent

Mr. Abad Ponda, Sr. Advocate a/w Mr. Siddharth Jagushte a/w Ms. Shivani Kumbhojkar a/w Mr. Amarpal Singh Dua i/b Mr. Siddharth Jugushte for the Applicant.

Mr. H. S. Venegawkar, for the Respondent.

Mr. Chetan Patel P.S.I. Daman Police Station is present.

**CORAM : SHYAM C. CHANDAK, J.**

**DATE : 24<sup>th</sup> NOVEMBER, 2023.**

**(VACATION COURT)**

**P.C.:-**

. After hearing the Application for some time, learned Counsel for the non Applicant-Respondent submitted that, the Applicant may approach the local Sessions Court for the relief under Section 438 of the Cr.P.C.

2) On this, Learned Counsel for the Applicant submitted that, if the non Applicant-Respondent Police make a statement that they will not arrest the Applicant till he approaches the Sessions Court, then he will not press this Application and approach that Sessions Court for the relief under

Section 438 of the Cr.P.C.

3) On instructions by P.S.I. Chetan Patel, Coastal Police Station, Moti Daman, learned Counsel for the non Applicant-Respondent has made a statement that the Police will not arrest the Applicant till 5<sup>th</sup> December, 2023, subject to the Applicant would attend before the Investigation Officer. The learned Counsel for the Applicant has agreed for such attendance. The Application is liable to be disposed of, accordingly.

4) Hence the following order.

4.1) The Applicant shall approach the Sessions Court at Daman on or before 5<sup>th</sup> December, 2023, for seeking the relief under Section 438 of the Cr.P.C. P.S.I. Chetan Patel made a statement that till 5<sup>th</sup> December, 2023 the Police will not arrest the Applicant.

4.2) Meanwhile, Applicant shall attend before the Investigation Officer, at Coastal Police Station from 28<sup>th</sup> to 30 November, 2023 between 11:00 am to 04:00 pm and as required by the Investigation Officer.

5) The Sessions Court at Daman shall decided the Application on its own merit without influenced by this Order in any manner.

**(SHYAM C. CHANDAK, J.)**