

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1473 OF 2024

1. Shubhangi @ Archana Laxman Shingate
2. Deepali @ Nilavati Sunil Shingate
3. Kesharbai Rajaram Shingate ... Applicants
Vs.
State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION (ST.) NO.14164 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO.1473 OF 2024

Mr. Yash Fadtare i/b. Mr. Jaydeep Mane for Applicants.
Mr. Tanveer Khan, APP for Respondent-State.
Ms. Siddhi Patil a/w. Mr. Shankar Katkar i/b. Ms. Manisha Devkar for Intervenor
in IA (St.) No. 14164 of 2024.

CORAM : MANISH PITALE, J.
DATE : JULY 09, 2024

P.C. :

1. Heard Mr. Fadtare, learned counsel for the applicants, Mr. Khan, learned APP for the respondent-State and the learned counsel having instructions to appear on behalf of the first informant (applicant in the application for intervention).

2. At the outset, the learned counsel for the applicants points out that by an order dated 28.05.2024, this Court granted interim order in favour of the applicants. Thereafter, the applicants have co-operated in the investigation. It is further submitted that in the said order itself, in paragraph 2, this Court had recorded reasons for granting interim relief.

3. The statement of the informant, leading to registration of FIR, shows that the only allegation against the applicants is that they were

present along with other co-accused persons at the place of the incident and that they obstructed the informant from cultivating his land. The applicants are ladies and other than mentioning the fact that they were present at the time of the incident, even the informant has not specifically ascribed any overt act on the part of the applicants.

4. This aspect was specifically considered by this Court in paragraph 2 of the order dated 28.05.2024, while granting interim order in favour of the applicants.

5. There is nothing to show that the applicants have avoided the process of law or that they are not co-operating in the investigation. Considering that the applicants are ladies and no specific overt act is alleged against them, this Court is inclined to make the interim order absolute.

6. Accordingly, the application is allowed and the interim order dated 28.05.2024 is made absolute.

7. In the light of the disposal of the anticipatory bail application, the intervention application is disposed of.

(MANISH PITALE, J.)

Minal Parab