

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1913 OF 2024

Anas Sharfuddin Shaikh

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

- Mr. Samadhan a. Kashid, for the Applicant.
- Mr. Sagar R. Agarkar, APP for Respondent.
- Mr. Sachin Wayke, PSI, Panvel City Police Station.

CORAM : MANISH PITALE, J.

DATE : 09th SEPTEMBER, 2024.

P. C. :

1. In this application on 24.07.2024, this Court granted interim relief in favour of the applicant and directed him to appear before the Investigating Officer on 26.07.2024 and thereafter as and when called out by the Investigating Officer. This Court recorded the following reasons for granting interim relief.

“7. This Court has perused the statement of the informant, leading to registration of the FIR. Prima facie there is substance in the contention raised on behalf of the applicant that general and omnibus allegations are made against all the accused persons, including the applicant, as regards harassment meted out to the informant after marriage, in the matrimonial house. Even with regard to the extremely serious allegation pertaining to Section 377 of the IPC, a general allegation is made without specifying

as to when such an incident occurred. It is significant that the said allegation pertaining to offence under Section 377 of the IPC in the present case is being made by the wife against her husband. This Court is of the opinion that so long as the applicant is ready to cooperate with the investigation and he is ready to present himself before the Investigating Officer for the purpose of investigation, including medical examination, interim relief can be granted, while issuing notice to respondent No.2.”

2. The learned APP on instructions submits that the applicant has indeed cooperated with the investigation. Considering the above quoted reasons recorded in the order dated 24.07.2024 and the fact that the applicant has cooperated with the investigation, this Court is of the opinion that interim relief can be confirmed and the application can be allowed.

3. In view of the above, the interim order dated 24.07.2024 is confirmed and the application is allowed. The applicant shall continue to cooperate with the investigation. He shall not influence the informant, witnesses or any other persons concerned with the case.

(MANISH PITALE, J.)