

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2766 OF 2024

Abhijeet Sambhaji Hulvan ... Applicant
Vs.
State of Maharashtra ... Respondent

Ms. Tanvii Tapkire a/w. Mr. Hrishikesh Ghorpade and Mr. Anup Patil for Applicant.

Ms. R. V. Newton, APP for Respondent-State.

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

P.C. :

- . The present application is filed for the limited purpose.
2. The applicant is apprehending arrest in connection with FIR No.1078 of 2024 dated 03.07.2024 registered with Hadapsar Police Station, District - Pune, for offences under Sections 376 and 506 of the Indian Penal Code, 1860 (IPC). The applicant has preferred application for anticipatory bail before the Sessions Court at Pune bearing Criminal Bail Application No.5790 of 2024.
3. The documents placed on record show that the Court of Additional Sessions Judge, Pune, hearing the said application, issued notice on 01.10.2024, making it returnable on 11.10.2024. There is no interim protection granted to the applicant during the pendency of the application before the Sessions Court.
4. In such cases where anticipatory bail applications are being considered, if the concerned Court deems it fit to adjourn the hearing, ideally, the adjournment should be for a very short duration if the concerned Court is not inclined to grant interim protection.

5. Be that as it may, in the present case, apprehension of the applicant appears to be justified for the reason that he is in service. He is working as *Naik* in the 90th Armoured Regiment of the Indian Army and presently, he is posted at Firozpur in Punjab. If the applicant is arrested in the absence of the interim protection, he would face serious consequences as regards his service in the Army also.

6. Having heard Ms. Tapkire, learned counsel for the applicant and Ms. Newton, learned APP for the respondent-State, this Court is inclined to grant limited interim relief to the applicant during the pendency of his anticipatory bail application before the aforesaid Court at Pune.

7. The learned counsel for the applicant has invited attention of this Court to a summons dated 04.10.2024 issued by the investigating officer in the present case, asking the applicant to remain present on or before 17.10.2024 at the Hadapsar Police Station in Pune in connection with the said FIR. The applicant undertakes to abide by the said summons.

8. In view of the above, the present application is disposed of by directing that during the pendency of the anticipatory bail application filed by the applicant before the aforesaid Court at Pune, no coercive action shall be taken, subject to the applicant abiding by the aforesaid undertaking given to this Court by remaining present before the investigating officer in terms of the summons dated 04.10.2024 and co-operating with the investigation.

9. The Sessions Court is requested to decide the anticipatory bail application expeditiously, without being influenced by the interim protection granted hereinabove.

(MANISH PITALE, J.)