



**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
ANTICIPATORY BAIL APPLICATION NO.1664 OF 2021**

Rajan Anand Kamble,	]	
Age 35 years, Occ : Service,	]	
Residing at Room No.422, Chawl No. 53,	]	
MHB Colony, Gaikwad Nagar, Gate No.8,	]	
Abdul Hamid Road, Kharodi, Malad (W),	]	
Mumbai.	]	...Applicant

Versus

State of Maharashtra,	]	
(Through Malvani Police Station)	]	...Respondent

Ld. Adv. Neha Patil for applicant.
APP Usha Jadhav for State.

**CORAM : SHRI L.S. CHAVAN,
Additional Sessions Judge,
Court Room No.10.
Date : 2nd December, 2021**

ORAL ORDER

This is an application filed by the applicant under Section 438 of Cr.P.C. 1973 for granting Anticipatory Bail in the event of any crime being registered for non bailable offence on the complaint of complainant Pooja Sutar.

2. The Ld. Advocate for the applicant argued that in the year 2018, the complainant and applicant were working in Lifestyle Store at Inorbit Mall. Their acquaintance transpired in to a friendship. The complainant used to share her personal problems with the applicant. On 19.11.2021, the applicant got married with Minal Jagannath Aarkade. Thereafter, on 20.11.2021, two lady constables from Malvani Police Station along with complainant came to the house of the applicant and asked the information of his family members. The applicant is apprehending the arrest at the hands of Malvani Police Station on the false complaint of the complainant, namely, Pooja Sutar. Hence, requested for granting anticipatory bail to him.

3. The Ld. APP for respondent strongly opposed for granting Anticipatory Bail contending that no report has been lodged by the complainant to the police station nor any crime is registered against the applicant. Therefore, the present application is not maintainable and requested for rejecting the same.

4. In view of the aforesaid discussion, it appears that till today no crime is registered against the applicant on the basis of report of complainant. However, the applicant has an apprehension regarding his arrest at the hands of Malvani Police Station in non bailable offence. Considering his apprehension regarding his arrest, it would appropriate to issue directions to the respondent that they shall give at least 72 hours notice to the applicant before taking any coercive action. Hence, following order.

ORDER

1. In the event of any crime being registered for non bailable offence on the report of complainant, namely, Pooja Sutar, the respondent shall give at least 72 hours notice to the applicant before taking any coercive steps.
2. Inform to the Malvani Police Station.
3. ABA 1664/2021 stands disposed of accordingly.

(L. S. CHAVAN)

Dt. 02/12/2021

Additional Sessions Judge,
Borivali Div., Dindoshi, Mumbai

Dictated on : 02/12/2021
Transcribed by steno on : 02/12/2021
Checked & Signed by HHJ on : 02/12/2021

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.” UPLOAD DATE AND TIME 03.12.2021 AT 05.00 NAME OF STENOGRAPHER PRASAD S. TARE	
Name of Judge (with Court room no.)	HHJ Shri L.S. Chavan, City Civil & Sessions Court, Borivali Div., Dindoshi. (C.R.No.10)
Date of Pronouncement of JUDGEMENT/ORDER	02/12/2021
JUDGEMENT/ORDER signed by P.O. on	02/12/2021
JUDGEMENT/ORDER uploaded on	03/12/2021