

ABA 1844/2022

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ORDER

MHCC050061572022



**IN THE COURT OF SESSIONS, AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
ANTICIPATORY BAIL APPLICATION NO. 1844 OF 2022
(C. R. No.1092/2022)
(CNR NO.MHCC05-006157-2022)**

1. John Keran Pinto

Age – 62 years, Occ : Retired,
Residing at : 501/502, Royal Apartment,
Sector 3, Charkop, Kandivali,
Mumbai – 400 067.

2. Dr. Francin John Pinto

Age – 50 years, Occ : Social Service,
Residing at : 501/502, Royal Apartment,
Sector 3, Charkop, Kandivali,
Mumbai – 400 067.

... Applicants/Accused

V/s.

The State of Maharashtra

(Through MHB Police Station, Mumbai) Respondent

Ld. Advocate Priyanka Ghosh for the Applicant/Accused.

Ld. APP Geeta Godambe for The State.

**CORAM: H.H.THE ADDITIONAL SESSIONS JUDGE
SHRI. SHRIKANT Y. BHOSALE
(C.R.NO.9)**

DATE : 9TH FEBRUARY, 2023

ORDER

Perused the application and say of the prosecution.

2. Heard Ld. Adv Priyanka Ghosh for the applicant and Ld.
APP Godambe for the State.

3. The applicants have filed the present application for pre-arrest bail in connection with first information 1092/2022 registered with M.H.B. colony police station registered under section 354, 323, 504 and 506 r/w sec. 34 of The IPC.

4. The prosecution vide say Exh. 3 had resisted the application. However, by additional say filed today at Exh. 4 submit that the investigation officer has filed B- Summary observing that false complaint is lodged.

5. After considering the above facts it is seen that the investigation officer has already filed B-Summary and therefore, there would be no question of arresting the present applicant until the Magistrate pass the appropriate order on the summary report. Thus, the apprehension of the applicant do not appears to be reasonable in changed facts and circumstances. Thus, the application needs to be disposed off. Hence, the order.

ORDER

Anticipatory Bail Application No. 1844 of 2022 stands disposed off with liberty to file fresh application in case the concerned Metropolitan Magistrate rejected B-Summary & order further investigation.

(Dictated and pronounced in presence of Ld. Advocate for Applicant & Ld. APP)

Date: 09.02.2023

(Shrikant Y. Bhosale)
The Addl. Sessions Judge
City Civil & Sessions Court,
Borivali Division, Dindoshi.

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ORDER

Dictated on : 09.02.2023
Transcribed on : 10.02.2023
Checked & corrected on : 13.02.2023
Signed on : 13.02.2023

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ORDER

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”

Date : 14/02/2023

Time : 1.05 P.M.

UPLOAD DATE AND TIME

Ms. Tejal C. Rane

(Stenographer Grade-I)

NAME OF STENOGRAPHER

Name of the Judge (with Court room no.)

**HHJ S. Y. BHOSALE
(Court Room No.9)**

Date of Pronouncement of JUDGMENT/ORDER

09.02.2023

JUDGMENT/ORDER signed by P.O. on

13.02.2023

JUDGMENT/ORDER uploaded on

14.02.2023