

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5351 OF 2010

Ivanychev Sergiy and Ors. ...Applicants

Vs.

The State of Maharashtra and Anr. ...Respondents

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Mr. A.P. Mundargi, Senior Counsel i/b. Mr. Rishi Bhuta  
a/w. Mr. Manoj Khatri for Applicants  
Mr.D.R. More -APP for the State.

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CORAM: V.M. KANADE J.  
DATED: 30TH NOVEMBER, 2010

P.C.

1. This is an application filed by the Applicants under section 482 of the Code of Criminal Procedure. The only relief claimed by the Applicants in this application is that the Applicants be transferred to judicial custody and application for bail filed by them in the Trial Court be decided expeditiously.

2. I am asked the office to verify whether the matter pertains to the assignment of this Court. I am informed that the office has, after verification, stated that the said application being an application for quashing

under section 482 of Cr.P.C. can be entertained by this Court without going into the various aspects of the case which are mentioned in the application.

4. The learned APP for the State, after taking instructions from the Investigating Officer, who is present in the Court states that he has no objection if the Applicants are transferred to judicial custody.

5. Criminal Application is allowed in terms of prayer clause (c). The Applicants are also permitted to file an application for bail while they are in police custody or if they are already transferred from judicial custody itself. If any application for bail is filed, the same shall be decided expeditiously.

6. With these directions, the application is disposed of. Parties to act on the authenticated copy.

**(V.M. KANADE J.)**