

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO. 762 OF 2015

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. Vikas B. Shivarkar for applicant.
Ms. M.H. Mhatre APP for State.

CORAM : A.S. GADKARI, J.
DATE : 15th December 2015

P.C.:

- 1) This an application for modification of condition imposed by the 3rd Additional Sessions Judge, Thane by its order dated 8.10.2015. By the said order, the applicant was directed to make himself available for the purpose of interrogation/investigation on every alternate day between 10.00 a.m. to 11.00 a.m. and to co-operate with the Investigating Officer.
- 2) The learned Counsel for the applicant submits that since the date of passing of the order, the applicant is regularly attending the Investigating Officer as per the condition stipulated in the aforesaid order. He submits that his client is working at Roha and it is very difficult for him to attend the office of ACB, Thane. The learned APP on the other hand submitted that appropriate order

may be passed in the interest of justice.

3) The date of registration of the offence in question is 11.9.2015. Since 8.10.2015 the applicant is regularly attending the Investigating Officer. In the circumstances, I am inclined to allow the present application.

4) Hence, the following order:

(i) The condition no.3 in order dated 8.10.2015 is hereby modified and the applicant is directed to attend the Investigating Officer once in fortnight on Monday between 10.00 a.m. to 11.00 a.m. till the filing of the chargesheet.

(ii) Rest of the conditions in the order dated 8.10.2015 passed by the 3rd Additional Sessions Judge, Thane are not disturbed.

(iii) The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)