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| Vivek Sankalan       | ...Applicant  |
| vs.                  |               |
| State of Maharashtra | ...Respondent |

**CORAM** : P.D. KODE, J.

**P.C.**

. The learned APP opted to argue the matter without filing reply on the basis of papers of investigation.

2. The applicant is protected by an ad-interim order in terms of Section 438 of Cr.P.C. by my predecessor passed on 20-12-2014.

3. The perusal of the F.I.R. does not reveal that the amount of Rs. 2,30,000/- received by the applicant. As a matter of fact, it reveals that the same is received by one Summit Singh. The learned

APP submitted that there is a statement of witness which reveals that the amounts were received by the applicant. Even perusal of the said statement in proper perspective reveals that the amounts were received by Summit Singh and not by the applicant.

4. Thereon upon further query made to learned APP, the learned APP has submitted that she had made a mistake while making such submission. Learned APP is directed to be more diligent in future as the rights of parties are decided on the basis of statement made by learned APP.

5. Thus having regard to the fact that the allegations against the applicant is only to the effect of having threatened the people who had been to Summit Singh for demanding return of the amount, it is difficult to perceive of there being any need of custodial interrogation of the applicant for the purpose of completion of investigation. It appears accordingly as the prosecution is having all the

details regarding the relevant accusation.

6. Resultantly, the application is allowed. The ad-interim direction given by my predecessor is hereby confirmed on earlier terms and conditions. However, the applicant now shall attend the investigating officer on every Sunday and Thursday in between 10.00 am to 12.00 noon for a period of one month and thereafter on every first Sunday of the month and so also on any other day for which he would be specifically summoned by the investigating officer.

7. In view of the allegations of investigating officer that the applicant has attended only on one occasion, it is expressly recorded that in event of default of giving attendance, the direction given in this matter shall stand automatically cancelled.

Application stands disposed of.

(P.D. KODE, J.)