

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE**

**CRIMINAL APPLICATION NO.576 OF 2016
IN
CRIMINAL APPEAL NO.96 OF 2016
WITH
CRIMINAL APPEAL NO.96 OF 2016**

Manohar Maruti Ingle & Anr. ... **Applicants**
V/s.
Central Bureau of Investigation & Anr... **Respondents**
.....

Mr.A.T.M.Rangaramanujam Senior Advocate with V.N.Shingnapurkar,
Advocate for the Applicant.
Mrs.A.S.Pai, Advocate for the Respondent No.1/CBI.
Mrs.M.R.Tidke, APP for the Respondent/State.
....

CORAM : P. N. DESHMUKH J.

DATED : 23rd AUGUST 2016.

P.C.

1 This is an application for suspension of sentence and for grant of bail. Learned Senior Advocate for the applicant had contended that the application be allowed on the sole ground of non-compliance of Section 313 of the Code of Criminal Procedure as no material questions are put to accused as required under above said provisions and such applicant is deprived of his right to give explanation to the incriminating evidence, whatsoever is on record against him.

2 Having considering the submissions made, as aforesaid, learned counsel for both sides agrees for final hearing of Criminal Appeal 96 of 2016, instead of considering such submission in the

present application contending that even if this Court comes to the conclusion that there is non-compliance of Section 313 of Cr.P.C., necessary order remanding back case to the file of concerned Court, can only be passed in appeal.

3 In that view of the matter, by consent, stand over to **15th November 2016**. Matter be shown in **caption of “Final Hearing”**.

4 In the event matter proceeds for final hearing application for suspension of sentence and bail shall stand infructuous.

(P. N. DESHMUKH J.)