

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPP) NO.1155/2015 IN
CRIMINAL APPLICATION (ABA) NO.437/2015

(Shri Surendrakumar Ramsevak Yadav ..vs.. The State of Maharashtra through PSO P. S.
Desaiganj, Tq. Wadsa, Dist. Gadchiroli)

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

Court's or Judge's orders.

Mr. A. B. Moon, Advocate for applicant.
Mr. A. K. Bangadkar, A.P.P. for non applicant.

CORAM : V. M. DESHPANDE, J.
DATE : MAY 5, 2016.

This is an application for modification of the order dated 10.09.2015. Heard Mr. A. B. Moon, the leaned counsel for the applicant and Mr. Bangadkar, learned A.P.P. for non applicant-State.

This Court vide order dated 10.09.2015, granted anticipatory bail in favour of the applicant in Criminal Application No. 437/2015. While granting anticipatory bail in favour of the applicant in connection with Crime No.1/2015 registered with Police Station Desaiganj, Dist. Gadchiroli, for an offence publishable under Sections 380, 491, 420, 465, 467, 468, 471, read with Section 34 of the IPC, he was directed to attend Police Station, Desaiganj on 27.09.2015. It was further directed that the applicant shall remain with the Investigating Officer from 11.00 a.m. to 5.00 p.m. for the purpose of interrogation. It was further directed that

thereafter the applicant shall attend the Investigating Officer as and when called by the Investigating Officer and the Investigating Officer shall give a clear 72 hours written communication to the present applicant.

According to the learned counsel for the applicant, the applicant has scrupulously followed the directions of this Court and on every occasion has attended the Investigating Officer from 27.09.2015 and and now there is no need of the present applicant to attend the Police Station.

The learned A.P.P. has filed his affidavit-in-reply by which it is pointed out that on various occasions, the Investigating Officer was changed. The learned A.P.P., on the basis of the record available with him and on the instructions from the Investigating Officer, who is personally present in the Court, has made a fair statement that on every occasion the present applicant has attended the Police Station as directed by this Court and also as asked by the Investigating Officer.

It is to be noted that the present applicant himself is a Sub Inspector in the Central Reserve Police Force and he is posted at Bhopal and he has to attend the Police Station, Desaijanj, which is far away from Bhopal. Looking to the fact that from 27.09.2015 the applicant is attending the Police Station, in the considered view of the matter, the condition imposed in direction no.3 in the order dated 10.09.2015 in Criminal Application

No.437/2015 needs to be relaxed and accordingly, it is relaxed.

With these directions, Criminal Application No.1155/2015 is disposed of.

JUDGE

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