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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1189 OF 2017

Popat @ Abaso Vishnu Shingate & Ors.

..Applicants.

Vs.

State of Maharashtra

Mr. K.S. Patil for applicants.

Ms. A. A. Takalkar, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 14th September 2017.

P.C.

1] By a reasoned Order dated 14th July 2017, the applicant Nos.1 and 3 were granted interim relief and directed to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2] Learned APP submitted that in pursuance of the said Order, applicant Nos.1 and 3 have attended the Investigating Agency and have cooperated in the process of investigation. She further submitted that the custodial interrogation of the applicant Nos.1 and 3 is not necessary.

3] Prima facie it appears from the record that the applicant No.2 was instrumental in hurling the stone due to which the first informant suffered displaced and undisplaced fractures on the skull. It appears that the role attributed to the applicant is that of indulging in scuffle between the first informant and his family members. The record further indicates that, there is no specific role attributed to the applicant Nos.1 and 3 and the allegations against them are general in nature.

In view thereof, this Court is of the view that, the custodial interrogation of the applicant Nos.1 and 3 for further investigation of crime is not necessary.

3] In view of the above, interim relief granted on 14th July 2017 is hereby confirmed. However, the condition to attend the Investigating Officer is hereby waived.

4] Application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)