

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.911 OF 2017

Sanjay Kumar Shrivastava	Applicant
versus	
The Intelligence Officer and another	Respondents

AND

CRIMINAL APPLICATION NO.912 OF 2017

Kaluram Chaudhary w/o Babulal Chaudhary	Applicant
versus	
Union of India and another	Respondents

Mr.Tarak Sayed i/by Sachin K. Shirke for Applicant in APL No.911 of 2017.

Mr.Anil G. Lalla i/by Lalla & Lalla for Applicant in APL No.912/2017.

Mr.Francis E. Saldhana for Respondent no.1 in both matters.

Mr.A.R.Kapadnis, APP, for State in APL No.911/2017.

Mr.H.J.Dedhia, APP, for State in APL No.912/2017.

CORAM : PRAKASH D. NAIK, J.

DATE : 24th August 2017

PC :

For the reasons to be transcribed separately, following order has been passed in open Court today :

ORDER

(i) Criminal Application Nos.911 of 2017 and 912 of 2017 are allowed;

(ii) The order dated 22nd August 2017 passed by Special Court under NDPS Act is set aside;

(iii) The interrogation of the applicants may be held within the sight of their Advocate. The advocate authorised by applicants may watch the interrogation proceedings, but they will not be within the hearing range and it will not be open to the applicants to have consultations with their advocate during the course of interrogation;

(iv) The interrogation will be carried out on 28th August 2017 and 29th August 2017 between 10.00 a.m. and 6 p.m.

(v) Both applications are disposed of.

(PRAKASH D. NAIK, J.)

MST