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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2198 OF 2016

Rajesh Manohar Chikne

..Applicant.

Vs.

State of Maharashtra

..Respondent

Mr. Ashish Satpute for Applicant.

Mrs. J.S. Lohokare, APP for State.

Mr. J.S. Parabkar, P.I., Virar Police Station present.

CORAM: A.S. GADKARI, J.

DATE : 3rd April 2017.

P.C.

1] By an Order dated 10th February 2017, the applicant has been granted interim relief and was directed to attend the Investigating Officer on the stipulated dates. The Investigating Officer is present in the Court and through the learned APP has tendered for my perusal the record pertaining to the present crime.

2] After perusal of the record of investigation pertaining to the present crime, it reveals that, the applicant is a sub-contractor appointed by M/s Shree Datta Builders & Developers represented by its partner Manohar Raut (Accused No.1). That the applicant has nothing to do with either the

procurement of the commencement certificate and/or forging the same.

3] As stated earlier, the applicant has no role other than constructing the building on Survey nos.112, 113, 114 and 115, under the directions of the co-accused i.e. partner of M/s Shree Datta Builders & Developers, according to me the custodial interrogation of the applicant is not necessary for the purpose of further investigation of the present crime. However, the applicant can be directed to attend the Investigating Officer as and when called for between 11.00 a.m. to 1.00 p.m till submission of the final report.

4] In view thereof, the interim relief granted on 10.2.2017 is hereby confirmed.

However, the applicant is directed to attend the Investigating Officer as and when called for between 11.00 a.m. to 1.00 p.m. till filing of final report. It is needless to mention that, before calling the applicant to the police station, the Investigating Officer shall issue a notice under Section 160 of Cr. P.C. mentioning therein the date and aforesaid time.

5] The application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)