

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.858 OF 2018
Mittal A. Mehta vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Ms. Priyanka for the Applicant.

Mr. A.A.Palkar, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 03rd July, 2018

P.C.

1. By an Order dated 25.4.2018 the applicant was granted interim relief .
2. Heard the learned counsel for the applicant and the learned APP. Perused the charge sheet annexed to the application.
3. The record indicates that, in the charge sheet filed against the other accused persons, the applicant was initially shown as witness at Sr. No.7. It further appears that, it is after co-accused Rakesh Vora was arrested by the police, it revealed that, he pledged part of the diamonds which came to his share with the applicant and accepted a hand loan of Rs.5,00,000/- from him.

The said fact can be discerned from the report filed by the Investigating officer while opposing the pre-arrest bail application of the applicant before the Sessions Court. A general statement has also been made in the said report that the applicant has accepted some more quantity of diamonds from Rakesh Vora and the said fact was revealed when the said Rakesh Vora attended the Investigating Officer in furtherance of the bail order passed in his favour. The applicant has been interrogated by the police and the aforesaid fact of giving hand loan has been revealed during the interrogation of the applicant himself.

4. After perusing the record and the charge sheet, this Court is of the view that, the custodial interrogation of the applicant for investigation of the present crime is not necessary.

5. Interim relief granted by an Order 25.4.2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

6. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)