

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (Appln) No. 33 of 2015

State of Maharashtra v. Smt Moina Shahbaz

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

Court's or Judge's orders

Shri N. B. Jawade, APP for applicant-State
Shri F. T. Mirza, Advocate for non-applicant

Coram : S. B. Shukre, J

Date : 20.4.2018

Heard. Perused the order dated 5th March 2015 granting anticipatory bail to the non-applicant and the order granting bail to the co-accused.

It appears that because of non-cooperation of this non-applicant with the investigating agency i.e. State CID in the context of he playing active role in running an illegal institution and creating various documents that this application has been moved seeking cancellation of anticipatory bail. Learned counsel for the non-applicant states that non-applicant has extended all cooperation to the investigating agency and he is still ready to do so.

Although it is not stated in the application in so many words that the non-applicant was not cooperative in the matter of investigation, from what has been argued now, I find that non-attendance of the applicant at the office of State CID seems to be the main grievance and according to the learned Additional Public Prosecutor, non-applicant has been responsible for delay in filing of the charge-sheet. Since, the non-applicant has now agreed to attend the office of State CID, I find that purpose of filing this application would be

served by issuing specific direction to the non-applicant.

In view of the above, application is rejected. However, non-applicant is directed to attend the office of State CID on every Thursday between 11.00 am and 12.00 pm and also on such other occasions as may be required by the investigating officer till filing of the charge-sheet or for a period of six months, whichever is earlier. Non-applicant shall cooperate with the investigating agency in completing the investigation. Non-applicant shall surrender her passport before the investigating officer till conclusion of trial.

Disposed of.

JUDGE

joshi