

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.618 OF 2019

Shokat Dautkhan Shaikh	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

Mr.Kuldeep S. Patil I/by Mr.Prashant Hagare for the applicant.
Mr.Prashant Jadhav, APP for respondent-State.
Mr.Vasant S. Waghole, Police Havaladar, Walchandnagar Police Station,
Pune.

CORAM : P.N. DESHMUKH, J.
DATE : 11th April 2019

P.C.:

. Heard. Learned APP submits that statement of Mr.Sul, complainant's superior officer could not be recorded. Perusal of earlier order would reveal that role attributed to applicant is of manhandling complainant and of slapping one person who has accompanied complainant when they were found to have removed wire, used for commission of electricity theft. By interim directions, applicant was directed to attend Investigating Officer and since statements of all material witnesses were already recorded, no custodial interrogation of applicant is found necessary.

2. In that view of matter, though statement of Mr.Sul as aforesaid is yet to be recorded, having considering applicant's

involvement as above, application is liable to be allowed as Mr.Sul being Superior Officer of complainant, there is no question of his been tampered by applicant in any manner. Hence, interim order dated 12th March 2019 is liable to be confirmed as per order below :-

ORDER

- (i) Interim order dated 12th March 2019 in force stands confirmed with a direction to applicant to attend Investigating Officer in C.R. No.76 of 2019 registered by Walchand Nagar Police Station, Pune as and when called till filing of charge-sheet;
- (iii) Application is disposed of as allowed in above terms.

P.N. DESHMUKH, J.