

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1299 OF 2022**

Ashish Maheshchandra Dutiya & .. Applicants
Ors.

Versus

The State of Maharashtra .. Respondent

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Mr.D.S. Mhaispurkar with Mr.Sameer M.Mangaonkar for the Applicant.

Mr.S.V.Gavand, A.P.P. for the State/Respondent.

API Shri Suresh D. Dambare attached to Manpada Police Station, Dombivali (E), present.

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CORAM: BHARATI DANGRE, J.

DATED : 10th JUNE, 2022

P.C:-

1. By order dated 13/05/2022, the applicants were admitted to the interim protection by recording a prima facie case in the wake of the accusations in the F.I.R. to the effect that the distributor did possess the requisite license when the supply commenced. The license was valid till 21/12/2020, but subsequently it was not renewed, which may entail certain consequences.

Recording that the investigation can be only restricted to the aspect whether the applicants had knowledge about the expiry of the license, the interim protection came to be granted in C.R.No.85 of 2022, which invokes Sections 420, 336, 276 read with Section 34 of the I.P.C. and Section 18(C) of the Drugs and Cosmetics Act, 1940.

2. Applicant Nos.1 and 3 were directed to report for investigation on every Sunday between 10.00 a.m. to 12.00 noon.

3. The learned A.P.P., on the instructions of the Investigating Officer who is present in the Court, states that the applicants have abided by the aforesaid direction and have rendered their co-operation. He makes a categorical statement that no custodial interrogation of the applicants is warranted in the wake of the accusations faced by them in the subject C.R.

4. In the wake of the above statement, the order passed by the learned Vacation Judge on 13/05/2022 is confirmed, subject to the stipulation that the applicants shall continue to render their co-operation to the Investigating Officer and they shall not leave the country without prior permission of the jurisdictional Court.

(SMT. BHARATI DANGRE, J.)