

Raunak Shyam Sadarangani and Ors. .. Applicants

Versus

The State of Maharashtra .. Respondent

Ms. Sonali Shinde, PSI, Oshiwara Police Station.

CORAM: BHARATI DANGRE, J.
DATED : 11th NOVEMBER, 2022

1. The applicants are apprehending their arrest in connection with CR No. 63 of 2020 registered with Oshiwara Police Station which has invoked sections 498, 377, 323, 504, 506 of IPC. The CR came to be registered on 30/01/2020.

Immediately on 31/01/2020 a notice under section 41-A was issued to all the applicants via email as they had shifted themselves to Australia. Admittedly the notice is received by them but for last two years they have not bothered to report to the Investigating Officer. The Investigating Officer is perfectly

justified in pressing for their arrest since there is no compliance of the said notice.

2. The learned counsel for the applicant however make a categorical statement which is recorded as an undertaking to the court that all the applicants shall return to India and report to the Investigating Officer within a period of 15 days from today.

Upon their appearance the Investigating Officer will carry out the investigation and if he reaches at the conclusion that custodial interrogation is necessary he shall record his reasons to that effect before effecting the arrest he shall also serve 72 hours notice in advance. Needless to state that if there is no compliance with the notice issued under section 41-A the Investigating Officer is at liberty to take appropriate steps.

3. Application is disposed off.

(SMT. BHARATI DANGRE, J.)