

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.4442 OF 2022
IN
WRIT PETITION NO.3218 OF 2022**

Alnoor Hasanali Jamal	]	Applicant
Vs.		
State of Maharashtra and others	]	Respondents

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Ms. Fereshte Sethna a/w Ms. Shivani Sanghavi a/w Mr. Mohit Tiwari i/b DMD AdvocateS, for the Applicant.

Ms. P.P. Shinde, A.P.P, for Respondent No.1 -State.

Mr. Vivan Gupta a/w Mr. Ashwin Shete, Mr. Abhay Dhadiwal and Mr. Gaurav Suralkar i/b Jaykar & Partners, for Respondent No.3.

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**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, J.J.**

DATE : 23rd DECEMBER, 2022.

P.C.

1. By this application, the applicant seeks modification of clause (d) of paragraph 33 of the order dated 18th November, 2022, which reads thus;

"(d) The applicant to appear before the concerned agency i.e EOW, on any two days for two-three hours, before 30.12.2022, after giving 72 hours notice to the concerned I.O, in both the MECRs".

2. Learned Counsel for the applicant submits that the applicant could not come to India, as the matter before the Apex Court was not likely to be heard, on the day on which it was fixed. She states that the matter before the Apex Court is now kept on 11th January, 2023.

3. Learned Counsel for the respondent No.3 vehemently opposes the application.

4. Learned A.P.P states that she has no instructions.

5. Having heard learned Counsel for the parties, we modify the said condition to the extent, that the applicant shall now appear before the concerned Agency i.e E.O.W on any two days for two-three hours before 31st January, 2023, after giving 72

hours notice to the concerned Investigating Officer, in both the MECRs.

6. The application is disposed of.

7. All the parties to act upon authenticated copy of this order.

[PRITHVIRAJ K. CHAVAN, J.] [REVATI MOHITE DERE, J.]