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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.367 OF 2023

Bipin Makbul Mashi & Anr.] .. Appellants

vs.

State of Maharashtra & Anr.] .. Respondents

WITH

CRIMINAL APPEAL NO.493 OF 2023

Pramila Vijay Kanase & Ors.] .. Appellants

vs.

State of Maharashtra & Anr.] .. Respondents

WITH

CRIMINAL APPEAL NO.372 OF 2023

Akshay Vijay Kanase] .. Appellant

vs.

State of Maharashtra & Anr.] .. Respondents

Mr.Ajit Kenjale a/w Sai Kadam, Azharuddin Khan and Prachi Deokar
for the Appellants.

Mr.Y.M. Nakhwa, APP for the State.

Mr.Subir Sarkar, Appointed Advocate for Respondent No.2.

ACP D.D. Tele, Vashi Division, Navi Mumbai, present.

CORAM : BHARATI DANGRE, J

DATE : 6th November, 2023.

P.C.

1] By the orders dated 30.03.2023 and 31.03.2023, the Appellants
are admitted to protection from arrest and were directed to report to the

Investigating Officer. A condition was also imposed that the Appellants shall not, in any way establish contact with the complainant or any other witness in the case.

2] On the last day of hearing, I had asked the learned APP to ascertain whether the investigation in the subject CR is over and whether custodial interrogation is necessary at this stage.

On instructions from the Investigating Officer, who is present in the Court, Mr. Agarkar makes a statement that the investigation is largely over with the co-operation rendered by the Appellants and the custodial interrogation is not necessary. He also makes a statement on instructions that the charge-sheet is likely to be filed within a period of 8 to 10 days.

3] In the wake of above, the orders dated 30.03.2023 and 31.03.2023 deserve to be made absolute, but the condition imposed that the Appellants shall not in any way establish contact with the complainant or pressurize the witnesses, shall continue to govern them, till the conclusion of the trial.

4] I must record my appreciation for Advocate Mr. Subir Sarkar who was appointed by the Legal Services Authority to represent Respondent No.2 in all the Appeals and the Legal Services Authority shall ensure that the remuneration due and payable to him, shall be disburse within a period of six weeks from today.

By Continuing the orders dated 30.03.2023 and 31.03.2023, Appeals are allowed.

[BHARATI DANGRE, J]