

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1246 OF 2023

Arif Shah Haji Munshi Abdul Lateef .. Appellant
Versus
State of Maharashtra and anr .. Respondents

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Mr.Narayan Bubna for the appellant.
Mr.Santosh Wagh i/b B.K. Barve & Co. for respondent no.2.
Smt.Mahalaxmi Ganpathy, APP for respondent no.1 State.
IPS Mr.Teghbir Singh Sandhu present.

CORAM: BHARATI DANGRE, J.
DATED : 28th MARCH, 2024

P.C:-

1 It is informed that in the subject C.R registered with Azad Nagar police station, invoking Section 306, 420, 504 read with Section 34 of the IPC and Sections 3(2)(va) and Section 3(1)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, on completion of investigation, charge-sheet is filed.

2 The learned APP, on instructions of the Investigating Officer, who is present in the Court, make a statement that thought the custodial interrogation is not necessary, as the

investigation is complete, without having the custody of the applicant, he expect the appellant to report to the Investigating Officer for recovery of certain documents, since the provision is made u/s.173(8) for filing of supplementary charge-sheet.

3 The counsel for the applicant Mr.Bubna, assure that he shall render all his co-operation to the Investigating Officer and shall report as directed by this Court.

I have also heard learned counsel representing the complainant, who do not dispute the fact that the charge-sheet has been filed on completion of investigation.

In the wake of the above, following order is passed:-

ORDER

- (a) Appeal is allowed.
- (b) The appellant Arif Shah Haji Munshi Abdul Latif, shall be released on bail in C.R No. 114/2023 registered with Azad Nagar police station, on furnishing P.R. Bond to the extent of Rs.25,000/- each with one or two sureties in the like amount.
- (c) The appellant shall mark his attendance to the concerned police station on 1st April 2024 and 5th April 2024, and thereafter, as and when directed by the Investigating Officer.

The appellant shall render his attendance to the concerned police station on 1st Monday of every trimester between 4.00 p.m to 6.00 p.m.

- (d) The Appellant shall attend the trial on regular basis.
- (e) On being released on bail, the appellants shall furnish their contact number and residential address to the Investigating Officer and shall keep him updated, if there is any change.
- (f) The appellants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer.

(SMT. BHARATI DANGRE, J.)