

1. Alka Vinod Mandekar		
2. Vinod Dashrat Mandekar		
3. Shilpa Dhananjay Mandekar	...	Applicants
Vs.		
State of Maharashtra and another	...	Respondents

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CORAM : MANISH PITALE, J.
DATE : OCTOBER 15, 2024

In this application, an interim order was granted in favour of the applicant on 14.06.2024 and they were directed to appear before the investigating officer on 20.06.2024.

3. Today, when the application is called out for hearing, the learned APP, on instructions, makes a statement that the applicants again failed to appear before the investigating officer despite specific directions given by this Court. This is disputed by the learned counsel for the

applicants and he submits that the police refused to give acknowledgments although the applicants remained present.

4. The applicant Nos.1 and 3 are ladies, while the applicant No.2 is a 56 year old gentleman. It is strange that such allegations are made against the applicants about non-appearance before the investigating officer, despite specific directions of this Court. In the interim order dated 14.06.2024, this Court took note of the fact that there was a civil dispute between the families of the informant and the applicants. It was also noted that an NCR was recorded at the behest of the applicants against the informant on 13.04.2024, prior to the subject FIR dated 20.04.2024.

5. Despite the applicants making out a *prima facie* case in their favour for grant of interim relief, it appears a little strange that the applicants would not have appeared before the investigating officer, which would entail the consequence of dismissal of their application. Allegations and counter-allegations have been made by the applicants and the police personnel on each other. In such a situation, it would be appropriate that the applicants are directed to remain present before this Court.

6. Accordingly, the application shall be listed on 22.10.2024 for further consideration in the supplementary list, when the applicants shall remain present before this Court.

7. The interim order granted in favour of the applicants shall continue to operate till then.

(MANISH PITALE, J.)