

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1536 OF 2024

Alka Vinod Mandekar & Ors.	...	Applicants
Versus		
The State of Maharashtra & Anr.	...	Respondents

Mr. Samay Pawar for the Applicants.
Mr. Mayur S. Sonavane, APP for Respondent No.1-State.
Mr. Ruchita Padwal for Respondent No.2.
Mr. S. B. Patil, API, Warje Malwadi Police Station, Pune.

**CORAM: MANISH PITALE, J.
DATE : 23rd SEPTEMBER 2024**

P.C. :

. On 14th June 2024, this Court granted interim relief in favour of the applicants and directed them to appear before the Investigating Officer on 20th June 2024 and thereafter, as and when called by the Investigating Officer.

2. The learned APP makes a statement that the applicant did not appear even once before the Investigating Officer. This is a serious matter. But, the learned counsel for the applicant is seeking adjournment to take appropriate instructions in that regard.

3. It appears that the victim in the present case did not appear before the Magistrate for recording her statement under Section 164 of the Code of Criminal Procedure, 1973 (Cr.P.C.). The learned counsel, appointed through legal aid to appear on behalf

of the victim i.e. respondent No.2, submits that the victim was not keeping well and therefore, she could not appear before the Magistrate. But, she now intends to appear before the Magistrate.

4. It is brought to the notice of this Court that the respondent No.2 is apprehensive that certain persons are following her and she is feeling scared. In the light of the aforesaid allegations and also the statement made by the learned APP that the applicants did not appear before Investigating Officer, despite directions issued by this Court, the applicants are directed to remain present before the Investigating Officer on 26th September 2024 and 27th September 2024 and thereafter, as and when called by the Investigating Officer. Any default on their part, will be viewed seriously and it may also lead to dismissal of the present application.

5. They shall also abide by the remaining conditions imposed by this Court in the order dated 14th June 2024.

6. List this application on 15th October 2024, to be included in the supplementary list.

7. The interim order shall continue to operate till then.

MANISH PITALE, J.