

Mr. Ashok M. Saraogi for applicants.
Ms. Megha S. Bajoria, APP for respondent-State.
Mr. Vijay Sahebrao Dakhore, PSI, Wada Police Station, District Palghar.

P.C. :

. Heard learned counsel for the applicants and the learned APP for the respondent-State.

2. On 04.10.2024, this Court granted interim relief to the applicants, subject to specific conditions, including a direction to appear before the investigating officer on 07.10.2024 and 08.10.2024 and thereafter, as and when called by the investigating officer.

3. While granting interim order in favour of the applicants, this Court observed as follows:

“6. This Court is of the opinion that since the other co-accused persons are absconding and the applicants are ready to join the investigation, as also the fact that in the description of the incident, there is no reference to use of any weapon by the applicants, it would be appropriate to keep the present application pending, while granting interim relief to the applicants, subject to specific conditions being imposed. The learned APP

would also produce the investigation papers on the next date of listing.”

4. The learned APP, on instructions, states that the applicants did appear before the investigating officer on 07.10.2024 and 08.10.2024. But thereafter, upon being called by the investigating officer, the applicants did not appear.

5. The learned counsel for the applicants submits that the applicants undertake to appear before the investigating officer as and when required.

6. The reason for granting interim relief, recorded in paragraph No.6 of the interim order, quoted hereinabove, holds good for allowing the application itself.

7. Accordingly, the interim order dated 04.10.2024 is made absolute and the application is allowed, subject to the applicants continuing to co-operate with the investigation, including remaining present before the investigating officer as and when required.

8. The applicants shall continue to co-operate with the investigation. They shall not tamper with the evidence of the prosecution in any manner. They shall also not influence the informant, witnesses and other persons concerned with the case.

(MANISH PITALE, J)