

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1747 OF 2024
IN
CRIMINAL APPEAL NO.568 OF 2017**

Riyaz Vali Mohammed Shaikh .. Applicant

Versus

The State of Maharashtra .. Respondent

**WITH
CRIMINAL APPEAL (ST) NO.4096 OF 2023
WITH
INTERIM APPLICATION NO. 979 OF 2023
IN
CRIMINAL APPEAL (ST) NO. 4096 OF 2023
WITH
INTERIM APPLICATION NO. 980 OF 2023
IN
CRIMINAL APPEAL (ST) NO. 4096 OF 2023
WITH
CRIMINAL APPEAL NO.534 OF 2017
WITH
INTERIM APPLICATION NO. 4218 OF 2022
IN
CRIMINAL APPEAL NO. 534 OF 2017
WITH
INTERIM APPLICATION NO. 3026 OF 2023
IN
CRIMINAL APPEAL NO. 534 OF 2017
WITH
CRIMINAL APPEAL NO.568 OF 2017**

Mr. Shyam Kochrekar a/w Mohd. Ahmed for applicant in IA No. 747/2024.
Mr. Prosper D'souza for the appellant in IA No. 1747/2024 in Appeal No. 534/2017.

Ms. Shivani Kunder for Appellant in Appeal No. 4096/2023.

Mr. D.J. Haldankar, APP for the State.

**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATED : 9th JULY, 2024

P.C:-

1 Since the respective counsel appearing for accused nos. 1 and 2 are appointed through Legal Aid Services, let the copies of the paper book and interim applications be made available to them, so that they would be in a position to advance their arguments on behalf of accused no. 1 Raju and 2 Yogesh, who have prayed for their release on bail.

As far as accused no. 5 is concerned, since the learned counsel representing him has pointed out to us the cross-examination of PW 7, while recording the confessional statement of accused no. 2, and on the basis of which he stands convicted, let him produce the necessary rules for recording of confession under MCOCA as well as the position in law interpreting the said rules, as it is the submission of learned counsel that the confession has lost its value in the wake of certain admissions given by P.W. 7.

To be listed on 23/07/2024.

(MANJUSHA DESHPANDE, J)

(BHARATI DANGRE, J.)