



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO.1293 OF 2024
IN
CRIMINAL APPLICATION (ABA) NO.131 OF 2023

Arun s/o Madhavrao Motghare

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Lakhani, District Bhandara

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. K. Bhangde, Counsel for the applicant.
Mr. S. S. Hulke, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 20/09/2024

1. By this application, the applicant is seeking relaxation of condition which is imposed by this Court while releasing the applicant on bail. While the applicant on bail, this Court has considered that the involvement of the present applicant is in economic offence and the investigation is in progress and therefore, he was directed to attend the Economic Offence Wing twice in a week on Sunday between 10.00 a.m. to 1.00 p.m. and on Thursday between 10.00 a.m. to 1.00 p.m. and shall co-operate with the investigating agency.

2. Learned Counsel for the applicant submitted that now investigation is almost completed though charge-sheet is not filed. But the reply filed

by the State also shows that the applicant has attended the Economic Offence Wing as directed by this Court and co-operated with the investigating agency. In view of that, the condition imposed be modified and applicant can be directed to attend the Economic Offence Wing as and when required for the investigation purpose.

3. Learned APP strongly opposed the said application and submitted that yet charge-sheet is not filed and investigation is in progress. In view of that the application deserves to be rejected.

4. After hearing the learned Counsel for the applicant and learned APP for the State, perused the order passed by this Court. It reveals from the reply filed by the State that the applicant has co-operated with the investigating agency and has attended the Economic Offence Wing. Considering that material investigation is already completed though charge-sheet is not filed. The condition imposed can be modified and directing the applicant that he shall attend the concerned Economic Offence Wing as and when required for the investigation purpose. In view of that, the application is allowed and the condition imposed is modified as under:

(i) The applicant shall attend the Economic Offence Wing as and when required for the investigation purpose and shall co-operate with the investigating agency.

(3)

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(ii) The Investigating Officer shall issue notice in advance if his presence is required for the investigation purpose.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate