

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3325 OF 2024

Kinjal Kamlesh Desai

.. Applicant

Versus

State of Maharashtra and Anr.

.. Respondents

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- None for Applicant.
- Mr. Sukanta A. Karmakar, APP for Respondent No.1 – State of Maharashtra.
- Mr. Joseph Kelwadi, Advocate for Intervenor.
- Mr. Vishal Gaikwad, API, MIDC Police Station, Mumbai.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 10, 2025

P.C.:

1. Heard Mr. Karmakar, learned APP for Respondent No.1 – State of Maharashtra and Mr. Kelwadi, learned Advocate for Intervenor.

2. At the time of rising, Mr. Kelwadi, learned Advocate for Complainant has persuaded me to hear Anticipatory Bail Application No.3325 of 2024 and sought indulgence of the Court. He would draw my attention to the order dated 09.12.2024 and would submit that the statement was made in the absence of Investigating Officer that the Applicant would not be arrested on that date. Today, Investigating Officer is present in Court before me when I have taken the matter for hearing. Since, it is called out at the time of rising, Advocate for Applicant is not present. I can give him benefit of doubt for not being

present.

3. The Investigating Officer has categorically stated and informed the Court in the presence of the learned APP that he has called the Applicant after the last order and asked him to give details of the photographs and videos of the Complainant but he has not co-operated with the Investigating Officer. This is a shocking thing. Applicant should note that no ad-interim relief has been granted by this Court. Considering the facts of the matter, this is a serious issue. Applicant shall take note of this matter and if he has not co-operated he shall immediately do so. Copy of this order shall be served on Applicant's Advocate immediately by the Advocate for Complainant. I am listing the matter next week when I expect the Applicant to remain present in Court.

4. Stand over to 17th January, 2025.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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