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

**~~—~~ANTICIPATORY BAIL APPLICATION (ST.) NO. 4917 OF 2020**

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**~~—~~ALONGWITH**

**ANTICIPATORY BAIL APPLICATION (ST.) NO. 4931 OF 2020**

**ALONGWITH**

**ANTICIPATORY BAIL APPLICATION (ST.) NO. 4932 OF 2020**

**ALONGWITH**

**ANTICIPATORY BAIL APPLICATION (ST.) NO. 4933 OF 2020**

**ALONGWITH**

**ANTICIPATORY BAIL APPLICATION (ST.) NO. 4934 OF 2020**

**ALONGWITH**

**WRIT PETITION (ST.) NO. 2667 OF 2020**

**ALONGWITH**

**ANTICIPATORY BAIL APPLICATION NO. 465 OF 2020**

**ALONGWITH**

**ANTICIPATORY BAIL APPLICATION NO. 466 OF 2020**

**ALONGWITH**

**ANTICIPATORY BAIL APPLICATION NO. 467 OF 2020**  
**ALONGWITH**  
**ANTICIPATORY BAIL APPLICATION NO. 481 OF 2020**

Dhananjay Vitthal Gawade

Age : 45 years, Occ: Social Worker

Residing at A/304, Sai Vandan,

Narayan Nagar, Tulinj Road,

Nalasopara (E), Tal. Vasai,

District-Palghar-401 209.

...Applicant

V.s.

The State of Maharashtra

Through Superintendent of Police

Crime Investigation Department,

6<sup>th</sup> Floor, Konkan Bhavan Building

CBD Belapur, Navi Mumbai-400 614. ...Respondent

\* \* \* \* \*

Mr. Shekhar Jagtap a/w. Ms. Sairuchita Chowdhary  
i/by. J. Shekhar & Co., *Advocate for the applicant in  
all matters.*

Mr. Atul Damle, Senior Counsel i/by. Mr. Vinay Shukla,  
*Advocate for the applicant in ABA-466-2020.*

Mrs. Prajakta Shinde, *APP for State in all matters.*

P.I. Mr. Subhan Shaikh, Mr. Nanaware, Mr. Sonawane  
and Mr. Chirlekar, *from State CID present.*

**CORAM : SANDEEP K. SHINDE, J.**

**RESD. ON : 22<sup>nd</sup> December, 2020.**

**PRON. ON : 7<sup>th</sup> January, 2021.**

**JUDGMENT :**

1. The allegations in the nine FIRs registered against the applicant are similar to the effect that the applicant extorted money from the builders-complainants therein. The FIRs relate to the incident from 2015 to 2018.

Complainants allege that, they were threatened by the applicant to demolish the buildings which were not in accordance with the planning guidelines or else to meet his illegal demands. It is alleged, the applicant, a sitting Corporator of Vasai-Virar Municipal Corporation sought information about different projects under the Right to Information Act and further alleged that the builders were threatened by taking recourse to the said information. It is prosecution's specific case that the applicant alongwith his associates obtained information in more than 500 cases under the Right to Information Act and misused the said information for extorting money from those who have been alleged of some breaches.

2. The learned Counsel for the applicant countered the prosecution's case and contended that the applicant is

an RTI activist and in the year 2015, was elected as a Corporator of Vasai Virar Municipal Corporation. That during the period commencing from 31.03.2018 and 12.04.2018, ten crimes were registered against the applicant on the allegation of extortion from the builders and contractors. It is applicant's case that, he has been falsely and maliciously arraigned as accused in the multiple FIRs. It is argued that, the applicant being 'whistleblower' and exposed link between the high rank officials of municipal Corporation and builder lobby by filing Public Interest Litigations either himself or through his associates seeking demolition of unauthorised construction in the municipal area, police officials, municipal officers and the builder lobby hatched a conspiracy against the applicant by filing multiple FIRs in

a span of a month. It is applicant's case that, since the applicant had successfully stalled the rampant unauthorized construction carried out in the Corporation area, the high rank officials of the Corporation and builders, as a counterblast engineered a conspiracy and filed the FIRs against him. It is specific case of the applicant that, those FIRS were lodged after the Superintendent of Police held a press conference inviting people at large to come forth and lodge complaints against the applicant. It is therefore contended, appeal by the Superintendent of Police, opened floodgates for false and concocted FIRs against him with reference to the incidents from 2015 to 2017.

3. In support of the contention, the learned Counsel for the applicant, has relied on orders passed by this Court in various PILs filed by himself or through his associates and other activists against the illegal construction carried out in the area of the Municipal Corporation. Submission is that, after orders were passed in Public Interest Litigation, the buildings unauthorisedly constructed, were ordered to be demolished which irked the builder lobby and high rank officials of Municipal Corporation. In short all the FIRS smacks malafides and arbitrariness.

4. Before adverting to the contentions raised by the Counsel and the prosecutor, it may be stated that the applicant had filed 10 writ petitions before this Court

seeking quashment of the First Information Reports, registered against him by the builders, alleging extortion by the applicant. The nine anticipatory bail applications and one writ petition before me, are in connection with the same FIRs of which the quashment was sought by the petitioner. These writ petitions were heard and disposed off by the Division Bench on 11.10.2018. It appears, Division Bench, upon reading the FIRs and the report submitted by the Superintendent of Police dated 9.10.2018, declined to quash the FIR in view of the serious allegations levelled against the applicant, requiring thorough investigation. Thus observed, "Looking to gravity and seriousness of the allegations levelled against the petitioner (applicant herein) and on taking into consideration the contentions raised in the petition against



the entire police machinery including the highest officer i.e. Superintendent of police, FIRs against the petitioner should be investigated by an independent and impartial authority since allegations are levelled against the Superior of Police himself”.

5. Accordingly, vide order dated 11.10.2018, those nine crimes registered under Sections 384, 504, 506 including tenth crime, C.R. No.55/2018 were transferred from Tulinj and Virar Police Station and Anti-Extortion Cell to the State CID.

6. Thus, it is to be stated that the Division Bench declined to quash the FIR after noting that the allegations being serious, requires investigation.

7. Before I proceed to deal with the contentions raised by the respective Counsel, it would not be out of context, to state about the applicant's conduct. Material on record shows, he was not available for investigation since 31.03.2018 till 17.08.2020, which caused hinderance to further the investigation. Thus, on 17.08.2020, when this Court heard some of the applications, had observed in para-2, that "applicant is a Corporator of Nalasopara in Vasai Virar Municipal Corporation. If the Corporator has been absconding for two years, it is a matter of serious concern.- Let the Investigating Officer file an Affidavit to the effect that the applicant was absconding and not available for investigation for the period of 31.03.2018 till date".

8. Pursuant, to this order, Deputy Superintendent of Police, filed an affidavit on 19.08.2020 and in para-6 onwards, elaborately stated the steps taken by the State to trace the whereabouts of the applicant.

They read as under :

*“6(a) That the then Investigating Officer of Tulinj Police Station as well as myself visited at the residential address situated at A/304, Sai Vandan Apartment, Tulinj, Nallasopara (East), as well as office address situated at Apex Tower, Station Road, Nallasopara (East) and also farm house situated at Saywan Village, Virar on 1.04.2018, 3.04.2018, 20.08.2018, 24.09.2018, 20.12.2018, 24.05.2019, 6.06.2019, 14.06.2019, 06.08.2019, 25.09.2019, 15.10.2019, 05.11.2019, 20.12.2019, 18.01.2020, however the present Applicant could not be found.*

*(b) That on 01.04.2018 the investigating agency also searched the present Applicant/Accused at his sister's house i.e. Smt. Jayashree Gawade, situated at 1101, Sumit Enclave, Sant Dnyaneshwar Road, Panchpakhadi, Thane as well as another sister's residential address i.e. Smt. Rajashree Shelke, situated at Girgaon, Mumbai on 30.05.2018,*

*but the present Applicant/Accused could not be traced.*

*(c) That in the month of May, 2018, a Team consisting of Shri. Jadhav, Assistant Police Inspector, attached to Manikpur Police Station, alongwith other Police Staff of Manikpur Police Station, visited the native place of present Applicant/Accused at Village-Dhanore (Vikaswadi), Dist: Pune, but the present Applicant/Accused could not be found.- On 20.02.2019, Police Inspector Nitin Pati and Police Inspector, Khuperkar, both attached to State CID, Konkan Bhavan, Navi Mumbai once again visited at the above native pace of the present Applicant/Accused but he could not be found.*

*(d) That on 03.05.2018, after getting secret information from reliable source that the present Applicant/Accused would come at Alandi for attending one relative's marriage function, hence Assistant Police Inspector Shri. Thakur, attached to Safale Police Station and Police Sub Inspector Shri. Vichare, attached to Local Crime Branch, Palghar went at Alandi, but the present Applicant/Accused could not be traced.*

7.1.2021

(e) *That on 04.04.2018, necessary correspondence was also made with the Divisional Passport Office, Kurla Complex, Videsh Bhavan Building, Bandra, Mumbai in order to obtain information about passport of the present Applicant/Accused.*

(f) *That on 19.05.2018, Police Naik Shri. Kale and Police Constable, Shri. Galande, both attached to Local Crime Branch, Palghar visited at Ahmednagar in order to search the present Applicant/Accused but he could not be traced.*

(g) *That investigating agency also tried to search the present Applicant/Accused on the basis of record available as well as other co-accused and relatives and also on the basis of mobile number of Applicant/Accused duly provided by witnesses and after getting Call Details Record (C.D.R.) of the said mobile, the investigating agency tried to contact him over the said mobile phone of the present Applicant/Accused but the same is found to be switched off.*

(h) *That report was submitted to the Learned J.M.F.C. Vasai for issuing proclamation against the present Applicant/Accused but the learned Magistrate was pleased to pass Order that as warrant*

*is not issued by this Court, hence question of Proclamation does not arise vide Order dated 12.06.2018. I crave leave to refer to and rely upon the said Order dated 12.06.2018 as and when required by this Hon'ble Court.*

*(i) That on 16.02.2019, the correspondence was also made with Air Companies i.e. (1)Go Air, (2)Indigo, (3) Jagson, (4) Jet, (5) Mldr, (6) Spicejet and (7)Indian Airlines for air travels of the present Applicant/Accused could not be traced.*

*(j) That on 25.02.2019 necessary correspondence was also made with the Deputy Commissioner of Police, Special Branch-2, Mumbai in order to trace the present Applicant/Accused.*

*(k) That on 25.06.2019, the investigating agency visited at Vasai Virar Municipal Corporation and made enquiries with other Corporators and written enquiry with Municipal Authorities.*

*(l) That on 03.08.2019, correspondence was also made with the DD/1, R.K. Puram, New Delhi-66 regarding review of regular LOCs on expiry of retention period.*

*(m) That on 06.02.2020, the investigating agency also verified the social sites viz. Face Book, WhatsApp, etc. but present Applicant/Accused could not be traced.”*

9. Thus, in view of the averments in para-6 of the Affidavit of the Deputy Superintendent of Police, State, CID, I am satisfied that the applicant was deliberately concealing himself to avoid service of summons, though, he has not been technically declared as an “absconder”.

10. Gist of the allegations in the FIR’s against the applicant, are as under :

WRIT PETITION NO. 2667-2020 CRIME NO. 55/2018  
DATED 5.3.2018 UNDER SECTIONS 385, 387 OF  
THE INDIAN PENAL CODE AND UNDER SECTION  
3(25) OF THE INDIAN ARMS ACT :

Complainant is Pramod Mukund Dalvi, builder-cum-hotelier. He alleged, the applicant, taking recourse to the information obtained under the Right to Information Act, had extorted big money from the builders in return for not revealing damaging information concerning their construction. Therefore, a complaint was filed by him in the I.T. Department. Thereafter, on 15.12.2016, I.T. Department and local crime Branch, raided the applicant's house where they found cash, Rs.1,15,00,000/-. Simultaneously, house of the C.A. of the applicant and of other friend was searched and unaccounted property worth Rs.1,75,00,000/-, besides cash of Rs.1,35,00,000/- and gold weighing 6 kg was also found. It is alleged that, on 22.09.2017, applicant retaliated, sending two goons, who



had threatened the applicant at the gun point but since the applicant resisted their efforts, those two unknown persons fled the scene of offence. Herein, the prosecution has recorded the statement of complainant's driver and of a eye witness. Applicant was initially granted pre-arrest bail by the learned Sessions Court, Thane. However, later, the interim protection was recalled because the applicant was not co-operating in the investigation and did not report the concerned police station, as directed while granting pre-arrest protection to him. Thus, aggrieved by the order passed by the learned Sessions Court, inter-alia, recalling the interim pre-arrest protection, applicant has preferred a Writ Petition.

CRIME NO. 330-2018 UNDER SECTION 384, 386  
READ WITH SECTION 34 OF THE INDIAN PENAL  
CODE AND SECTIONS 3 AND 25 OF THE INDIAN  
ARMS ACT :

Complainant is Vandesh Ramakant Gurav. Co-accused, Nitin Ajay Patil, Kalpesh Ramnath Rathod, Vineet Pannalal Mishra, were arrested on 31.03.2018. Complainant is a builder-developer. Co-accused, Nitin Patil had filed a PIL in the High Court against the Corporation seeking directions to demolish unauthorized buildings constructed in the Corporation area. It is alleged that, Nitin Patil is close associate of the applicant. At the relevant time, the applicant was a sitting Corporator. It is alleged, the applicant sent a message through one, Vineet Mishra to the complainant and demanded Rs.50,00,000/- for withdrawing the writ

petition. Thus, he paid Rs.27,00,000/- to the applicant and the co-accused. Further, it is alleged that, he was forced to supply 8 tons of steel and 600 cement bags which the complainant supplied by purchasing it from Mahesh Bhai and Hasmukh Bhai & Co., Virar (West). Prosecution in the course of investigation, collected the invoice from Mahesh Bhai and Hasmukh Bhai & Co., a delivery challan and a statement of driver who carried the steel and cement bags at the place known as “Sai Om”, as required by the applicant.

CRIME NO. 331/2018 UNDER SECTIONS 384, 386, 506 READ WITH SECTION 34 OF THE INDIAN PENAL CODE :

. Complainant is Vivek Gajanand Chaudhary, builder-developer. He alleged, the applicants and the co-accused lodged a complaint in respect of the alleged unauthorised seven floor building constructed by him. Further alleged that, the applicant, taking recourse to the information received under the Right to Information Act in relation to the construction made by him, demanded Rs.50,00,000/-; out of that he paid Rs.30,00,000/-. In addition to this amount, the applicant demanded one flat and accordingly an agreement to sell was executed in favour of applicant's sister, Jayashree Gawade on 18.1.2016 for the total consideration of Rs.18,00,000/- Investigation shows, applicant's sister had paid Rs.2,00,000/- only. When this application was heard earlier, the applicant was

called upon to place on record particulars of payment made by him or his sister for purchasing the flat from the complainant. However, till date, the applicant has not complied with the order.

CRIME NO.381/2018 UNDER SECTIONS 384, 386 AND SECTIONS 3 AND 25 OF THE INDIAN ARMS ACT :

. Complainant is Rajesh Madhukar Chowdhary, builder-developer. Co-accused are, Ramesh More, Shradha Dilip Jadhav, Uday Arun Jadhav, Ashokkumar Tirtharaj Dubey. It is alleged, the applicant and the co-accused extorted money around Rs.36,00,000/- from the complainant to withdraw the complaints filed by them with the Corporation in respect of the building constructed by the complainant. It also appears that, at

the instance of the complainant, offence has also been registered against the Editor of local newspaper, “Dainik Chaufer” under Section 384 of the Indian Penal Code. In the course of investigation, statements of witnesses have been recorded.

CRIME NO. 271/2018 :

. Complainant is a builder, developer. He also alleged, person named, Ashok Kumar Dubey, member of V.M. Mahila Foundation, had filed a complaint in the office of Vasai Virar Municipal Corporation against the alleged unauthorized building constructed by him and demanded Rs.20,00,000/- for withdrawing the complaint. He alleged, the applicant mediated and settled the deal for Rs.10,00,000/-.

CRIME NO. 348/2018 :

. Complainant is a builder, developer. Complainant had received an information in relation to a construction made by him on Survey No. 187. It is alleged, the applicant had demanded Rs.25,00,000/- from him in return to save his bungalow from demolition and in April, 2016, he paid Rs.10,00,000/- at Radha Krishna Hospital at Nalasopara to its Manager, as per the instructions from the applicant.

CRIME NO. 348/2018 UNDER SECTION 384, 386, 506(II) OF THE INDIAN PENAL CODE :

. In this crime, Assistant Commissioner of Corporation is accused. It is alleged, the applicant had filed a complaint in relation to the unauthorised construction of bungalow. Complainant, therefore met

Prem Singh Namdev Jadhav, (Assistant Commissioner), who told the applicant to settle the issue with the applicant. Thus, alleged, he paid Rs.15,00,000/- to the applicant at Radha Krishna Hotel and Rs.3,50,000/- to Prem Singh Namdev Jadhav, Assistant Commissioner to avoid action under the Maharashtra Regional Town Planning Act.

CRIME NO.430/2018 UNDER SECTION 384, 386, 504 OF THE INDIAN PENAL CODE :

Complainant is builder and Corporator. It is alleged, the Complainant had floated Nana-Nani Park Project at Virar. It appears, the complainant sought information about the project and taking recourse to it, demanded Rs.50,00,000/- from the complainant in



return to save the project from action under the Maharashtra Regional Town Planning Act. It is alleged, the complainant paid Rs.10,00,000/- to one, Naresh Kapadia, co-accused at the instance of the applicant.

CRIME NO. 386/2018 UNDER SECTIONS 384, 386 OF THE INDIAN PENAL CODE against Shashi Hanmant Karpe and Arun Suryanath Singh and Kalpesh Ramesh Rathod :

The allegations are the same, that of extorting the money from the complainant in return to save construction from coercive action/demolition. Complainant paid Rs.10,00,000/- to the applicant through the Manager of Radha Krishna Hotel. Evidence shows, complainant had borrowed money from his two friends, who had, at the request of the complainant,

withdrew their money from the bank accounts and handed over to the complainant. Bank statements and statements of witness, corroborates the complainant's allegations.

CRIME NO.446-2018- UNDER SECTION 384, 386, CO-ACCUSED, Shashi Hanmant Kapre :

Complainant is real estate agent. It is alleged that, he paid Rs.10,00,000/- to Shashi Karpe as extortion money in return for not damaging/pulling down his building at the instance of the applicant and to withdraw the allegations in the PIL and further paid Rs.15,00,000/- to the applicant in his office during January, 2016 to April, 2016.

11. Learned Counsel for the applicant, contradicted the allegations and submitted, that the applicant being a 'whistleblower' and raised voice against the rampant unauthorised construction came up in the Corporation area with the blessings of high rank officials, builders, hoteliers and the police officers, they all conspired to implicate the accused in false complaints. It is thus contended that, the Superintendent of Police issued a Circular in May, 2017 and appealed the public at large to come forward and lodge complaints in relation to unauthorised constructions. Counsel for the applicant, has invited my attention to a Circular dated 24.05.2017. I have perused it. This Circular makes reference to unauthorised buildings constructed and the flats therein were sold on forged title documents or fake

commencement certificate or without requisite permissions from the local authority. Therefore, the concerned Police Stations were directed to register the offence, if lodged by a flat purchaser, subject to the directions of the Hon'ble Apex Court issued in the case of *Lalita Kumari*. In the last para of the said Circular, the Superintendent of Police, Palghar informed the concerned incharge of the Police Stations that, offences under Sections 420, 465, 467, 468, 469, 470, 471 of the Indian Penal Code and under the Maharashtra Regional Town Planning Act, may be registered but only after permission or in consultation with the office of the Police Superintendent, Palghar. The applicant herein has challenged the said Circular by filing Writ Petition No. 4772/2017, which is pending before this Court. The

contention of the Counsel for the applicant is that, after issuing this Circular, the subject ten FIRs were registered against him. I am unable to comprehend Counsel's submissions, as to how this Circular had prompted complainants to file the FIR's against him and how this Circular comes to applicant's rescue, to contend that reports were lodged at the behest of Superintendent of Police. Be that as it may, after reading the FIRs, gist of which I have reproduced hereinabove, on its primary evaluation, I am of the view that the accusations against the applicant are serious and some of the offences like Section 386 i.e. extortion by putting the person in fear of death or grievous hurt are punishable with imprisonment for a term which may extend to ten years and fine. No doubt that, co-accused Patil, an associate

of the applicant, has filed PIL in this Court against the unauthorised buildings constructed in the Corporation area, and further this Court, time and again, issued directions to demolish the buildings. However, a fact cannot be ignored, there is tangible material on record, which on its first evaluation suggest that, information in relation to the construction of the building, sought under the Right to Information Act was allegedly used against the errant/offending builders to extort the money from them. It is so understood from the allegations. In other words, the applicant being a City Corporator and as it appears, not only he abused the Right to Information Act for his personal gains, but also breached the trust of the citizens who elected him their representative on local Municipal Authority. No doubt, the complainants in all

FIRs, are equally responsible for this sorry state of affairs, in as much as, their own complaint suggest that, they constructed the building not in tune with the planning and development control rules. However, it may be stated only when complainants apprehended demolition of unauthorised buildings constructed by them, in return for not revealing information concerning their buildings, they paid money to complainant. The evidence also discloses the complicity of the Officers of the Corporation either by extending the protection to unauthorised construction, or turning nelson's eye to it. Not only officers of the Corporation, but also editors of local newspapers exploited the situation to gain out of it. Some of the complainants have also lodged the complaints against the Editors of the local newspapers

who had threatened the builders to disclose the particulars of unauthorised construction and the unauthorised building constructed by them in the corporation area and in return for not revealing it, demanded money. Therefore, though the contention of the applicant that, being a 'whistleblower' and stood against the corrupt system, which was protecting the unauthorised construction he has been falsely implicated, is impressive, but the complaints against him and on its primary evaluation and such other material collected in the course of investigation, suggest his complicity in the commission of cognizable offence of serious nature.



12. So far as conduct of the applicant is concerned, Affidavit of the Deputy Superintendent of Police sworn on 19.08.2020, sufficiently indicates, that the applicant was deliberately concealing himself from the process of law since the date when the offences were registered till December, 2020. Learned Counsel countered the submissions of the prosecution and contended that, applicant's statements were recorded by the Investigating Officer on 15<sup>th</sup> and 16<sup>th</sup> December, 2020 and therefore, he is neither concealing himself nor declared absconder. However, I do not see any reason to disbelieve or dispute the Affidavit of the Deputy Superintendent of Police. Yet, I have perused the statements recorded in December, 2020. No doubt, applicant has marked his presence in the office of the

Investigating Officer but only after he was granted interim protection by this Court. Factually speaking, he was not available for investigation, since registration of the offences, till December, 2020. Therefore, prima-facie, he is accountable for his conduct.

13. Learned Counsel for the applicant has invited my attention to Writ Petitions filed by him, but these petitions are of no assistance to the applicant at this stage and in these proceedings. At the most, writ petitions filed by the applicant indicates that, he is ‘whistleblower’ and seeking to espouse a public-cause, which itself, is not a ground to grant him pre-arrest protection, particularly when, allegations of extortion

were made against the Municipal Councilor. As well, his conduct cannot be overlooked.

14. Besides, it may be noted that, during the period of demonetization of government currency notes of Rs.500/- and Rs.1,000/- denomination, Crime Branch, Vasai Unit in joint operation with the staff of the Income Tax Department of Thane, intercepted a Polo Car and accosted two persons' one Dhananjay Gawade (applicant) and, another Shregal. The search of the vehicle resulted in recovery of Rs.1,11,15,500/- (Rs.47 lacs in new currency of Rs.2,000/- denomination and Rs.64,15,500/- in old currency). During the search proceedings at residence of the applicant, total cash of Rs.1,65,410/- was found, out of which, Rs.1,52,000/-

was in new notes. Resultantly, offence under Section 120-B, 409, 420 of Indian Penal Code and 13(2) read with Section 13(1)(a), has been registered against him. It may be stated, applicant is seeking quashment of this crime in Writ Petition No. 4995/2017, pending in this Court. Learned Counsel has relied on the judgments of the Hon'ble Apex Court in the case of **Siddharam Satlingappa Mhetre V/s. The State of Maharashtra**, reported in (2011) 1, SCC 694 and **Arnab Goswami, 2020 SCC Online SC 964**, in support of his contention. However, in my view, the law laid down in the aforesaid two judgments is of no assistance to the applicant. Be, noted that the contentions raised by the applicant while denying the allegations, may be his defence, available to him, at the

appropriate stage and in the appropriate proceedings, but certainly not, in anticipatory bail proceedings. Powers under Section 438 being discretionary are to be exercised in the light of the circumstances of each case after evaluating the material. In the case in hand, the material clearly suggests and points out his complicity in the offences alleged against him which are serious in nature. Therefore, in my view, custodial interrogation of the applicant is necessary.

15. The Writ Petition and applications are dismissed and rejected accordingly.

16. In consideration of the facts of the case and reasons stated, request for continuing the interim protection is declined and rejected accordingly.

(SANDEEP K. SHINDE, J.)