

DDR

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

CRIMINAL APPLICATION ST. NO. 5028 OF 2020

**(WRONGLY WRITTEN AS CRI.W.P.ST. NO. 5028 OF 2020 ON
CAUSELIST)**

KANGANA RANAUT & ANR. ..APPLICANTS
VS
STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Mr. Rizwan Siddiquee i/b. Siddiquee and Associates for the
applicants.

Mr. Rizwan Merchant a/w. Mr. Kamran Shaikh, Mr. Mohsin Shaikh,
Mr. Ravish Zamindar for respondent No.2 / original complainant/
first informant.

Mr. Deepak Thakare, PP for State.

**CORAM : S.S.SHINDE &
M.S.KARNIK, JJ.**

DATE : NOVEMBER 24, 2020

P.C.:-

Heard.

2. Issue notice to the respondents, returnable on 11th January,
2021.

3. Mr. Thakare, learned Public Prosecutor, waives service of
notice on behalf of the 1st respondent. Mr. Merchant, learned
counsel, waives service of notice on behalf of the respondent
No.2.

1. CRI. WPST. 5028-20.doc

4. Learned counsel appearing for the applicants, on instructions of the applicants makes a statement that the applicants will appear before the Investigating Officer from Bandra Police Station, who is investigating into MECR No.3/2020 under Sections 153A, 295A, 124A read with Section 34 of the Indian Penal Code, on 8th January, 2021, in between 12.00 noon to 2.00 p.m. Statement accepted.

5. Learned counsel appearing for the applicants prays for ad-interim protection thereby directing the 1st respondent from taking any coercive action against the applicants till disposal of the present application.

6. Mr. Merchant, learned counsel appearing for the 2nd respondent submits that the full text of the First Information Report ('FIR' for short) is not placed on record by the applicants and in absence of such full text of the FIR, this Court may not be in a position to adjudicate this application effectively. Therefore, he prays that hearing of this application may be deferred and in the interregnum learned counsel appearing for the applicants may be directed to place on record the full text of the FIR.

7. In response to the said argument, learned counsel appearing for the applicants on instructions submits that the applicants applied for the copy of the FIR from the concerned Court, however, the applicants were not given the full text of the FIR.

8. Mr. Thakare, learned Public Prosecutor appearing for the 1st respondent, on instructions submits that the copies of the FIR i.e. full text of the FIR will be supplied/sent to the Counsel for applicants on his E-mail Id on or before 26th November, 2020. Statement accepted.

9. After receipt of the full text of the FIR, learned counsel appearing for the applicants shall send the copies of the said full text of the FIR on E-mail Id of learned counsel appearing for the 2nd respondent and on the official E-mail Id of this Court.

10. So far as ad-interim relief is concerned, Mr. Merchant, learned counsel appearing for the 2nd respondent vehemently opposed grant of any protection to the applicants. He submits that though three summons were issued to the applicants, the applicants did not honour the said summons and cause appearance before the Investigating Officer.

11. Upon hearing the learned counsel appearing for the applicants, learned Public Prosecutor appearing for the 1st respondent and Mr. Merchant, learned counsel appearing for the 2nd respondent, we are of the opinion that ad-interim protection deserves to be granted till further orders. Accordingly by way of ad-interim relief, we direct the respondent No.1 not to take any coercive action/steps including arrest against the applicants until further orders.

12. Mr. Merchant, learned counsel appearing for the 2nd respondent submitted that since the Court is seized with matter, the applicants be restrained from making any statement on social platform/electronic media in relation to the subject FIR.

13. In response to the aforesaid submission, Mr. Siddiquee, learned counsel appearing for the applicants, on instructions makes a statement that so far as subject FIR is concerned, the applicants will not make any comment on the social media/electronic media. Statement accepted.

14. Parties to act on an authenticated copy of this order.

1. CRI. WPST. 5028-20.doc

15. This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(M.S.KARNIK, J.)

(S.S.SHINDE, J.)