

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 360 OF 2014

Bhavesh S/o Dharamdutta Shukla

.....Applicant

V/s.

The State of Maharashtra and others

....Respondents

Mr. Sushil Upadhyay i/b Mr. A. M. Saraogi for Applicant
Ms. Arti Bhoir i/b Rishi Bhuta for Respondent nos. 2 & 3
Mrs. M. H. Mhatre APP for the State.

CORAM : V. L. ACHLIYA, J.

DATED : 8th APRIL 2015

PC :

Applicant has preferred this application under section 482 of Code of Criminal Procedure, 1973 seeking cancellation of bail granted to respondent nos. 2 & 3 vide order dated 25/04/2013 and 19/06/2013 by Sessions Court, Mumbai.

2) In nutshell it is the contention of the applicant that in spite of strong evidence available on record, connecting the applicant with commission of serious offence punishable under section 302 r/w 34 of Indian Penal Code and other offences, learned Sessions Judge has granted bail to the accused. After grant of bail the applicants have misused the liberty and they have threatened the applicant from prosecuting the complaint made against them. It is therefore urged that the bail granted to respondent nos. 2 & 3 be cancelled.

3) Learned APP for the State has pointed out that applicants were ordered

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to be released on bail way back in the year 2013. In the meantime, Sessions Court has framed the charges against accused and now the trial is posted for recording of evidence. It is therefore contended that in view of subsequent development, the application be disposed of.

4) Having regard to the fact that respondent no. 2 & 3 were ordered to be released on bail way back in the year 2013 and no case is made out to cancel the order of bail granted in favour of respondent nos. 2 & 3 and now the case is posted for recording of evidence, no interference is called for in the matter in respect of the orders impugned by way of present application.

5) Hence, the application is rejected.

(V. L. ACHLIYA, J.)