

2. The First Informant in C.R.No.I-129 of 2013 had sought intervention in the matter and his application for intervention has been allowed. I have gone through the contents of the intervention application. Merely because the First Informant now exonerates the respondent, it may not be presumed that the respondent is not involved in C.R.No.I-129 of 2013. I have, therefore, carefully gone through the facts of the case as reflected in FIR.

3. It is clear from the FIR registered in respect of C.R.No.I-129 of 2013 that the respondent has been named as one of the culprits only on the basis of suspicion. The First Informant-Shivaji was assaulted by two unknown persons and he suspected that the said unknown persons had assaulted him at the instance of respondent and his brother-Prakash. However, the First Informant-Shivaji i.e. the intervenor, later on, realized that the respondent and his brother were actually not involved in the said case. The learned APP, on specifically questioning, submitted that the actual assailants, who have been arrested in C.R.No.I-129 of 2013, have not implicated the present respondent in any manner.

4. Since the cancellation of bail is sought only on the ground that after release on bail, the respondent has committed another offence; and since it appears that there is no sufficient basis to show the involvement of the respondent in that another offence, there seems to be no reason to cancel the appeal granted to the respondent.

5. The application is rejected.

(ABHAY M. THIPSAY J.)