

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [APPLN] No. 9 of 2015
[State of Maharashtra Vs. Rohan Shyam Khare & another]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. S.S. Doifode, APP for applicant-State.
Ms. Rohini Khapekar, Adv., for respondent nos. 1 and 2.

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CORAM : V.M. DESHPANDE, J.

DATE : 07th October, 2015.

By the present application under Section 439 (2), Criminal Procedure Code, the State wishes to cancel the regular bail granted by the Additional Sessions Judge, Nagpur, on 1st December, 2014 in Misc. Criminal Application No. 2759 of 2014.

Heard learned APP Mr. S.S. Doifode for the applicant-State and Ms. Rohini Khapekar, Adv., for respondent nos. 1 and 2.

It is not in dispute that subsequent to the order impugned, the Investigating Officer has already filed a charge-sheet before a Court of Law.

Perusal of the order impugned shows that while

releasing the applicants, certain conditions are imposed upon them. Learned APP submits that the respondents are scrupulously following the conditions imposed upon them.

Since the charge-sheet is already filed and respondents, who are already released on bail on 1st December, 2014 and they are following the conditions imposed upon them, this is not a fit case wherein the application of the applicant be considered, especially when the discretion used by the learned Judge of the Court below, in my view, is not arbitrary one.

Hence application is rejected.

Judge

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