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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION No. 1100 OF 2016

Mr Vijay @ Vicky Ashok Singh .. Applicant.
Vs
The State of Maharashtra .. Respondent.

Mr P.G. Pandey for the applicant.
Mr Deepak Thakare, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.
DATE : 24th August, 2016.

P.C.

- 1) This is the second bail application filed by the applicant for regular bail. The first bail application was rejected on merits by this Court by Order dated 18/2/2016.
- 2) The learned counsel for the applicant submitted that after rejection of the first bail application on 18/2/2016, the applicant has received the medical certificates pertaining to the injuries received by him under the Right to Information Act, 2005 on 26/2/2016 and in view of the said change in circumstance the present application is filed. He further submitted that while rejecting the first bail application, this Court did not have the occasion to consider the said injury certificate issued by the Medical Officer, General Hospital, Mulund, Mumbai. That the applicant also received injuries in the said incident and the said injuries are more serious than the

injuries received by the complainant and the other witnesses. He, therefore, submitted that taking into consideration the fact that the applicant was also injured in the said incident and that the applicant is in jail since December, 1914, the applicant may be released on bail.

3) It is to be noted here that when the earlier application was heard on 18/2/2016, the arrest panchnama of the applicant dated 18/12/2014 was on record. In the said arrest panchnama, injuries sustained by the applicant have been specifically mentioned. After taking into consideration all the facts involved in the present case, the said application was decided on merits.

4) Prima facie it appears to me that the injury certificate received by the applicant dated 26/2/2016 is only a contemporaneous document in aid of the arrest panchnama dated 18/12/2014. Thus, I find that there is no substantive change in the circumstances and, therefore there are no merits in the present application.

5) However, as the applicant is in jail since 19/12/2014, the learned Additional Sessions Judge, Greater Mumbai, seized of the Sessions Case No. 305 of 2015, is hereby directed to conclude the trial of the said case within a period of one year from today.

6) The application is dismissed in the aforesaid terms.

(A.S.GADKARI, J.)