

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

BAIL APPLICATION NO.2037 OF 2015

WITH

BAIL APPLICATION NO.774 OF 2015

WITH

CRIMINAL APPLICATION NO.293 OF 2016

WITH

CRIMINAL APPLICATION NO. 408 OF 2016

IN

BAIL APPLICATION NO. 774 OF 2015

Dinesh Laxman Narkar ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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Mr.M.J. Bandgar, Advocate for the Applicant in BA 2037/15.

Ms.S.S.Kaushik, APP for the Respondent/State.

Mr.Omkar Nagvekar, Advocate for applicant in BA 774/15 and APPP 293/16 and 408/16.

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CORAM : P. N. DESHMUKH J.

DATED : 19th JULY 2016.

P.C.

1 Criminal Bail Application No.774 of 2015 is registered as was received from Jail for grant of bail. Advocate Omkar Nagvekar was accordingly appointed as *amicus curiae*. Subsequently Bail Application No.2037/15 is filed on behalf of applicant Dinesh Narkar. In that

circumstances, learned Amicus Curiae prayed for leave to withdraw the application. Criminal Bail Application No.774/15 is allowed to be withdrawn as prayed for.

3 Heard learned counsel for the applicant as well as learned APP in Bail Application 2037/15 filed for Accused No.2 Dinesh Narkar involved in Crime No.263 of 2014 registered for the offences punishable u/s.302 r/w Section 34 of the IPC and under section 37(1), 135 of Maharashtra Police Act, for grant of bail.

5 At the outset, learned APP had made a statement that trial in this crime is already commenced and three witnesses are examined out of 26 witnesses cited in the charge-sheet.

6 Initially, learned counsel for the applicant prayed for grant of interim bail on medical grounds, and sought leave to suitably amend this application. However, in view of fact of Sessions Case having been already commenced, has sought leave to withdraw present application with liberty to move before the learned Sessions Court for grant of bail on medical grounds. In the circumstances, following order is passed.

O R D E R

i) Leave to withdraw Bail Application No.2037 of 2015 is allowed with liberty to file application before the learned Sessions Court as prayed for.

7 Application is disposed of as dismissed as withdrawn.

8 Subject to the outcome of applicants for grant of bail on medical grounds, if any, filed by applicant, learned Sessions Court shall make an endeavour to dispose of Sessions Case arising out of Crime No.263/14 to be decided within a period of six months from the date of receipt of this writ.

(P. N. DESHMUKH J.)