

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 714 OF 2014

Shabbir Alam Mohammad Ishaq ChoudharyApplicant

V/s.

Chetal Dilip Dhodi and OrsRespondents

Mr. Adenwala Mohd. Shakeel Advocate for Applicant
Mr. S. S. Pednekar APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : MARCH 15, 2016.

PC :

Heard. This is an application seeking cancellation of pre-arrest bail granted in favour of respondent vide order dated 10/12/2014 passed by this Court (Coram: Smt. Sadhana S. Jadhav, J.).

2) Learned counsel for the applicant fairly submits that investigation is completed and charge-sheet is filed.

3) Learned APP submits that he has no instructions as to whether respondent had committed breach of any conditions imposed upon him vide order dated 10/12/2014.

4) Learned counsel for the applicant has drawn the attention of this Court

ism

to the observations made in para 6 that there is nothing on record to indicate that applicant (present respondent) had broke open the door. The spot panchanama shows that the accused and his associates had kicked on the door and hence, the latch was opened. According to learned counsel, the panchanama was not correctly recorded, however, all this would pertain to appreciation of evidence at the time of trial. The Court has only recorded the contents of the panchanama. In any case, parameters of grant of bail and cancellation of bail would not be one and the same. No ground is made out for cancellation of pre-arrest bail granted in favour of respondent vide order dated 10/12/2014.

5) Hence, application, being sans merits, is dismissed with no order as to costs.

(SMT. SADHANA S. JADHAV, J.)