

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 147 OF 2017

Mr. Sagar Bhikaji Pandit

.... Applicant/Accused

Versus

State of Maharashtra
through MHB Police Station, Borivali,
Mumbai.

.... Respondent

Mr. Rishi Bhuta for Applicant/Accused.
Mrs. P. P. Shinde, APP for Respondent/State.
Mr. Bhosale, PSI, MHB Police Station.

CORAM : SMT. SADHANA S. JADHAV, J.
DATE : 30TH JANUARY, 2017.

P.C.

. This is an application under Section 438 of Cr.P.C. The applicant herein is apprehending his arrest in Crime No. 424 of 2016 registered at MHB Colony Police Station.

2. The learned counsel for applicant submits that the applicant has approached the Court of Sessions under Section 438 of Cr.P.C. by filing Anticipatory Bail Application No. 82 of 2017. It is contended that the co-accused Smt. Rajani Sagar Pandit had also filed an application which was heard on 7th January, 2017. By an

order dated 7th January, 2017 the said co-accused Smt. Rajani Sagar Pandit was granted protection. The present applicant had filed application on 23rd January, 2017. The matter was on board on 24th January, 2017. The learned Sessions Judge had adjourned the hearing of the application filed by Smt. Rajani Pandit to 10th February, 2017 and was of the opinion that the application filed by the present applicant should be heard along with the said application filed by the co-accused. In fact, the learned Sessions Judge could have considered the application seeking ad-interim relief and dispose of the same on merits. Accused Rajani was protected on 7th January, 2017. The matter was adjourned to 18th January, 2017 for arguments and it was further adjourned to 10th February, 2017. The learned counsel for applicant submits that the learned Sessions Judge could have considered the application seeking interim relief. Simplicitor adjournment of the matter would render the said application infructuous. It is in these circumstances that the applicant has approached this court.

3. The learned Sessions Judge seized with Anticipatory Bail Application No. 82 of 2017 shall hear and dispose of the application seeking ad-interim relief by 3rd February, 2017. The order adjourning the hearing of the application is not yet ready. The application stands disposed of with above directions.

(SMT. SADHANA S. JADHAV, J.)