

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 360 OF 2017

Mitesh Mukund Chodankar & Anr. .. Applicants
Vs.
The State of Maharashtra & Anr. .. Respondents

**WITH
CRIMINAL APPLICATION NO. 248 OF 2017**

Poonam Mitesh Chodankar .. Intervener

In the matter between

Mitesh Mukund Chodankar & Anr. .. Applicants
Vs.
The State of Maharashtra & Anr. .. Respondents

Mr. Satish Babasaheb Sakat for the Applicants.
Mr. Madhukar P. Dalvi for Respondent No.2.
Ms. P. P. Shinde, APP for the Respondent-State.

**CORAM : A.S. GADKARI, J.
DATE : 12th APRIL, 2017.**

P. C. :

1. By an order dated 01.03.2017, the applicants were granted interim relief.

2. Clause (iii) of the operative part of the said order reads as under:

“(iii) Applicants shall hand over valuables of the complainant to the complainant in the police station.”

3. Learned APP, on instructions from the Investigating Officer,

submitted that the applicants did not produce the Stridhan of the complainant as has been mentioned in the First Information Report before the Investigating Officer and has flouted the order dated 01.03.2017. It is submitted that the applicants have produced only the ornaments namely one Golden Chain and one Bajuband made up with gold and has not produced the balance of the ornaments i.e. Stridhan mentioned in the FIR before the Investigating Officer. This matter was heard yesterday and the learned counsel for the applicants had sought time to take instructions on the ground that the applicant is bedridden. Today, it is submitted on behalf of the applicants that the applicant is still bedridden and is unable to produce the said ornaments.

4. In view of the above, as the applicant has breached directions issued by this Court by its order dated 01.03.2017, the interim relief is hereby vacated. Consequently, the application is dismissed.

5. In view of dismissal of ABA 360 of 2017, Criminal Application No. 248 of 2017 does not survive and is disposed of accordingly.

[A. S. GADKARI, J.]