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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1330 OF 2017

Prashant Madhav Madhekar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.M.S.Mohite i/b Mr.K.U.Nikam, for the Applicant.

Mr.S. S. Pednekar, A.P.P for the Respondent-State

Mr.S.V.Marwadi i/b Mr.Hrishikesh Mundargi, for the Complainant.

CORAM : REVATI MOHITE DERE, J.

DATE : 1st AUGUST, 2017

P.C. :

1. Perused the orders dated 21st July, 2017 passed by the learned Additional Sessions Judge, Pune, below Exhibit – 4 and Exhibit – 1 in Criminal Bail Application No.2489 of 2017. The interim application was rejected on the ground that the name of the applicant was not disclosed in the complaint and as no crime was registered against the applicant. In view of the aforesaid, the learned Judge observed that the apprehension in

the mind of the applicant does not appear to be reasonable and accordingly rejected the application.

2. Learned APP states that the applicant is involved in the aforesaid C.R., being C.R. No.199 of 2017 registered with the Mundhava Police Station and that the police want to arrest the applicant. He submitted that during investigation, the name of the applicant has cropped up.

3. In view of the statement made by the learned APP, it will be appropriate to quash and set aside the orders dated 21st July, 2017 passed by the learned Additional Sessions Judge, Pune, below Exhibit – 4 and Exhibit – 1 in Criminal Bail Application No.2489 of 2017 and restore both the applications i.e. interim application, being Exhibit – 4 and the main application, being Exhibit – 1, filed by the applicant in the Sessions Court.

4. Accordingly, the orders dated 21st July, 2017 passed by the learned Additional Sessions Judge, Pune, below Exhibit – 4 and Exhibit – 1 in Criminal Bail Application No.2489 of 2017 are quashed and set aside and both the applications i.e. interim application being Exhibit – 4 and

main application being Exhibit – 1, filed by the applicant in the Sessions Court, are restored back to its original file. The learned Additional Sessions Judge, shall decide the interim application, being Exhibit – 4, at the earliest, and in any event on or before 4th August 2017. The learned Judge shall look into the photographs submitted by both the sides.

5. Application is accordingly disposed of on the aforesaid terms.
6. All contentions of both the parties are kept open.
7. It is made clear, that this application has not been heard on merits.
8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)