

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1592 OF 2017
IN
CRIMINAL APPEAL NO.1012 OF 2013

Jaya Talakshi Chheda ... Applicant
Vs.
The State of Maharashtra,
Through D.C.B., C.I.D., Unit-1, Mumbai. ... Respondent

Mr. Nitin Dalvi, a/w. Mr. V.V. Purwant, i/by Mr. R.D. Pawade, for
the Applicant.

Mr. Deepak Thakare, P.P., for the Respondent-State.

CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 29TH NOVEMBER 2017.

P.C. :

1. Heard learned counsel for the Applicant and learned P.P. for
the Respondent-State.

2. This application is preferred for interim bail on medical
ground. Mr. Dalvi, learned counsel for the Applicant, has invited
our attention to the order passed by the Supreme Court as well as

Medical Certificate dated 25th November 2017 issued by the treating Doctor in the Bombay Hospital and Medical Research Centre, Mumbai.

3. By order dated 24th October 2017, the Supreme Court has granted liberty to the Applicant to approach this Court for grant of interim bail on medical ground. The Medical Certificate shows that the Applicant is suffering from Coronary Artery disease.

4. Mr. Dalvi, learned counsel for the Applicant, and Mr. Thakare, learned P.P., does not dispute that, at present, the Applicant is admitted in the Bombay Hospital, which is a private and renowned Hospital and also it is of Applicant's choice. Mr. Dalvi further states that, by-pass surgery of the Applicant is scheduled to be held on 7th December 2017. Mr. Dalvi submits that the Applicant may be granted interim bail for her post-operative care.

5. Mr. Thakare, learned P.P., however, opposed this prayer and submitted that, the Applicant is advised to undergo only

Angioplasty. Upon perusal of the Medical Certificate, we also found that no case of by-pass surgery is made out.

6. From the facts narrated here-in-above, it is clear that the Applicant is, at present, taking treatment in the Bombay Hospital, which is of her choice. Mr. Thakare, learned P.P., also assures this Court that, post-operative care of the Applicant would be taken.

7. In that view of the matter, at this stage, we are not inclined to grant interim bail to the Applicant. Application, accordingly, stands dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]