

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 56 OF 2018***

Mr. Vijay Deoram Kandalakar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Kishorre Gaikwad, for the applicant.

Ms.Veera Shinde,APP, for the State.

Ms. Sarika V. Ahirrao, API, Sarkarwada Police Station, Nashik peresent.

***CORAM : SMT. SADHANA S.JADHAV, J.
DATE : 12th January, 2018.***

P.C. :

1. The learned APP, at the threshold, submits that the applicant herein has not approached the Court of Sessions and ha approached this Court directly under Section 438 of Cr.p.C. Although the Sessions Court and the High Court have concurrent jurisdiction, judicial propriety warrants that an application under Section 438 of Cr.P.C. shall be filed before the Court having jurisdiction i.e. the Sessions Court. In view of this, the application is disposed of with liberty to approach the Sessions Court under Section 438 of Cr.P.C. It is made clear that the application be heard on merits.

(SMT. SADHANA S.JADHAV, J.)