

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

BAIL APPLICATION NO.326 OF 2017

Harshad Purshottam Mehta

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Mahesh Jethmalai, a/w. Mandar Goswani & Gunjan Mangle for the Applicant.

Smt. Veera Shinde, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 15th JANUARY 2018

P.C.:

. Learned APP on instructions submitted that the police have practically completed the further investigation as contemplated under Section 173(8) of the Cr.PC. and will file the supplementary charge-sheet within two months from today.

2. In view of the said statement made by the learned APP, the learned Counsel for the applicant on instructions seeks leave to withdraw the present application with liberty to file a fresh application before the Trial Court.

3. It is a settled position of law that filing of charge-sheet is a

substantive change in circumstance, which permits an accused to file a fresh application for bail. In view of the said change in circumstance, the Trial Court, therefore, shall consider the fresh application filed by the applicant after filing of supplementary charge-sheet on its own merits.

4. Leave and liberty granted.
5. Application is disposed off in the aforesaid terms.

(A.S.GADKARI, J.)