

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 288 OF 2018
IN
CRIMINAL APPEAL NO. 1390 OF 2011

WITH
CRIMINAL APPLICATION NO. 474 OF 2017

Indin @ Mohiddin Sayyad }
Ali Shaikh } Applicant
 versus
The State of Maharashtra } Respondent

WITH
CRIMINAL APPEAL NO. 1389 OF 2011

Anwar Abdul Aziz Pathan } Appellant
 versus
The State of Maharashtra } Respondent

WITH
CRIMINAL APPEAL NO. 248 OF 2012
WITH
CRIMINAL APPLICATION NO. 1697 OF 2017

Algu Muttu Shankar }
Pandyan @ Mohd. Ayyub }
and Ors. } Appellants
 versus
The State of Maharashtra } Respondent

Mr. N. N. Gavankar for the appellants.

Mr. J. P. Yagnik-APP for State.

CORAM :- S. C. DHARMADHIKARI &
 PRAKASH. D. NAIK, JJ.

DATED :- MARCH 12, 2018

P.C. :-

1. When these matters were called out, we have noticed that the name of Mr. Amin Solkar and Mr. Yakub Shaikh is being consistently carried by the Registry and displayed on the board as advocates for the appellants. Mr. Solkar has clarified that the appellants have taken away the papers long time back and have discharged him as an advocate. In view thereof, the Registry shall delete the name of Mr. Amin Solkar and equally the colleague advocate. They stand duly discharged from the case.

2. We have heard Mr. Gavankar appearing for the applicant in Criminal Application No. 288 of 2018 and with his assistance, we have perused the application and the annexures thereto. Though we grant leave to amend this criminal application in terms of the draft tendered today and which amendment shall be carried out on or before 17th March, 2018, presently, we are disinclined to grant any relief. The applicant cannot be granted temporary bail so long as the surgery, as stated to be advised to his wife, is not to be performed and no date has been fixed for the same. As and when the applicant is informed about the surgery of his wife, the applicant is free to seek temporary bail and by making a fresh application. That application shall be duly considered on its own

merits and in accordance with law. With this clarification,
Criminal Application No. 288 of 2018 is disposed of.

(PRAKASH.D.NAIK, J.) (S.C.DHARMADHIKARI, J.)