

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

**CRIMINAL APPLICATION NO.313 OF 2018
IN
CRIMINAL APPEAL NO.730 OF 2015**

Vivek Vishnu Kapse

.... Applicant
(Intervener)

IN THE MATTER BETWEEN :

Jagannath Nana Kapase

... Appellant

versus

The State of Maharashtra

... Respondent

.....

- Mr.N.B. Patil h/f Hulyalkar and Associates, Advocate for the Applicant.
- Mr.Hrishikesh Chavan, Advocate for the Appellant.
- Mrs.M.H. Mhatre, APP for the State/Respondent.

**CORAM : B. R. GAVAI &
SARANG V. KOTWAL, JJ.
DATE : 27th JUNE, 2018.**

P.C. :

1. This is an Application for cancellation of bail. The Application is moved on the ground that the condition as imposed by the learned Single Judge of this Court by the order dated 25/08/2015 has been violated.

2. On this very same ground an earlier Application being Criminal Application No.1051/16 was moved before this Court. This Court vide the order dated 14/12/2016, which is subsequently corrected vide order dated 13/02/2017, had directed the original accused to shift to a place away from “Kapse Aali”.
3. It is specific contention of the learned Counsel for the Appellant/original accused that the original accused have already shifted their residence and are residing in some other area. It is not the case of the Applicant that the condition with regard to the reporting the Police Station, has been violated by the accused.
4. We do not find that the case is made out for invoking jurisdiction for cancellation of bail.
5. If according to the Applicant, any of the conditions are violated by the original accused, he can very well point out to the Police Officer of the concerned Police Station, who can take necessary action.
6. The Application is rejected for the aforesaid reasons.

(SARANG V. KOTWAL, J.)

(B. R. GAVAI, J.)