

Dond

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

CRIMINAL APPLICATION NO. 308 OF 2016

Jigar Kumudrai Bhatt

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Ashwin R. Rana i/b Ms. Kamini K. Rana for applicant.
Ms. PN. Dabholkar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 25th JANUARY 2018.

P.C.:

1] By the present application, the applicant has impugned the Order dated 10th March 2016 passed by the learned Additional Sessions Judge, Greater Mumbai in Misc.Application No.746 of 2015 in Anticipatory Bail Application No.1117 of 2015 thereby allowing the application preferred by the State and cancelling the anticipatory bail application granted to the applicant in A.B.A. No.1117 of 2015 by an Order dated 29th June 2015.

2] The record indicates that, by an Order dated 29th June 2015 the applicant was granted prearrest bail by the learned Additional Sessions Judge, Greater Mumbai in A.B.A No.1117 of 2015. While granting pre-arrest bail to the applicant, the learned Additional Sessions Judge had imposed a condition of attendance to the concerned police station. As the applicant failed to report to the concerned police station on stipulated dates, the Investigating Agency preferred an application bearing Misc.Application No.746 of 2015 in A.B.A. No.1117 of 2015 seeking cancellation of anticipatory bail. The said application was allowed on 10th March 2016 by the learned Additional Sessions Judge, Greater Mumbai. The record indicates that, this Court by an Order dated 10th June 2016 while granting interim relief, had directed the applicant to attend the Investigating Officer on stipulated dates. The record further indicates that, the applicant has attended the concerned Police Station and joined the process of investigation.

3] The learned APP on instructions submitted that the principal accused (accused No.1) Mahesh Faria has been arrested by police and now has been released on bail.

4] After taking into consideration the peculiar facts of the present case, this Court is of the view that the interim relief granted by this Court needs to be confirmed.

Hence the, interim relief dated 10th June 2016 is confirmed. However, the condition to attend the concerned Police Station is hereby waived. As a consequence thereof, the impugned Order dated 10th March 2016 passed by the Additional Sessions Judge, Greater Mumbai is quashed and set aside.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)