

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 1274 OF 2018**

Ravindranath Sahaderaao Shelatkar

.Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr N. P. Dalvi, Advocate for the Applicant.

Mr. Amit Palkar, APP for the State.

Mr. J. G. Shetty for Intervener.

CORAM : A. S. GADKARI, J.

DATE : 27th July, 2018.

P.C.:-

- 1) Heard the learned counsel for the applicant, the learned counsel for the First Informant and the learned APP. Perused the record.
- 2) The impugned order dated 8th May, 2018 is passed after filing of the charge-sheet. However, it indicates that the substantial change in circumstance of filing of the charge-sheet has not been taken into consideration and the Trial Court has not averted, itself to merits of the matter after filing of the charge-sheet.
- 3) In view thereof, the impugned order dated 8th May, 2018 is hereby set aside and the applicant is relegated before the Trial to agitate all his contentions afresh. The Bail Application No. 752 of 2018 is restored to the file of the learned Additional Sessions Judge,

Greater Mumbai.

- 4) The learned Judge is directed to hear the applicant on merits, as it is the settled position of law that filing of the charge-sheet is itself a substantial change in circumstance.
- 5) Application is disposed of in the aforesaid direction.
- 6) All the concerned to act on an authenticated copy of this order.

(A.S. GADKARI, J.)

Radhakishan
Shivlal
Ladda

Digitally signed by
Radhakishan
Shivlal Ladda
Date: 2018.07.31
11:21:18 +0530