

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1902 OF 2017
WITH
CRIMINAL BAIL APPLICATION NO.1903 OF 2017

Jayesh Mansukhlal Parekh

Applicant

versus

The State of Maharashtra

Respondent

Mr.Manish Bohra i/by A.S.Khan & Associates for applicant.

Mr.Ajay S. Patil, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 12th January 2018

PC :

1. These are the second bail applications filed by the applicant for bail in respective cases. The earlier applications bearing Bail Application Nos.410 of 207 and 1777 of 2016 were rejected vide order dated 16th June 2017. While rejecting the said applications this Court had directed that the trial in respect to both the cases are expedited and the Trial Court was directed to complete the trial within nine months from the date of receipt of order.

2. Learned advocate for the applicant in both these applications has submitted that one of the ground considered by this Court while rejecting the earlier applications for bail, is that the complainant is relying upon several documents in the form of receipts with regards to sale of jewellery. It is submitted that the said documents are fabricated and thus no reliance can be placed on the said documents.

It is further submitted that the statement of one of the witness Mr.Ketawat was recorded on 13th April 2016, however, the record indicates that summons was issued to the said witness on 14th April 2016. It is, therefore, submitted that the applicant may be released on bail.

3. The earlier applications were rejected by assigning detailed reasons and there is no new ground for granting bail to the applicant. The submission made by the advocate for the applicant is that the receipts are forged can be the defense of the applicant-accused, which can be raised during trial. The other submission that the statement of witness was recorded prior to issuance of summons, is not a ground for granting bail to the applicant.

4. Learned APP submitted that the Trial Court has framed charge against the applicant and the trial was posted for hearing today. The summons to the witnesses are issued and one witness has already been examined. It is thus clear that the trial has commenced and it is expected that the same would be concluded in accordance with earlier directions.

5. In view of above, both the bail applications are rejected. The report submitted by learned APP is taken on record.

(PRAKASH D. NAIK, J.)

MST