

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPLN) NO.19 OF 2018

(Rohini Sanjay Masarkar Vs. Nikhil s/o Rajesh Sahare and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mrs. S.P. Giratkar, Advocate for Applicant.
Shri Ashwin Wasnik, Advocate for Non-Applicant No.1.
Shri M.K. Pathan, APP for Non-Applicant No.2/State.

CORAM: ROHIT B. DEO, J.

DATE: 26th JULY, 2018.

The applicant is seeking cancellation of anticipatory bail granted by this Court in Crime 167/2018 registered at Police Station Jaripatka, Nagpur for offence punishable under section 376(2)(n) and 417 of the Indian Penal Code.

2] The application for cancellation of bail is predicated on an allegation that the non-applicant 1 – accused misused the liberty by issuing threats to the applicant – complainant. The submission is, that the Jaripatka Police have registered offence punishable under section 500, 506 Part-II and 34 of the IPC on 17.03.2018 against two persons including the non-applicant. In rebuttal, the non-applicant points out that the report is lodged *mala fide* and in order to create a ground for cancellation of bail. The non-applicant is granted

anticipatory bail in the crime registered on 17.03.2018, is the submission.

3] The application seeking cancellation of bail is absolutely frivolous. The incidents which are referred to in the report lodged on 17.03.2018 are incidents prior to the order dated 13.03.2018, by and under which, this Court granted anticipatory bail.

4] The application is absolutely without substance and is rejected.

JUDGE