

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

CRIMINAL APPLICATION (BA) NO.601 OF 2018

(Pratik s/o Natraj Pillay ..vs.. State of Maharashtra, through PSO, PS Pandarkawada, District Yavatmal)

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

Court's or Judge's orders

Shri M.V. Mendhe, Counsel for the applicant,
Shri T.A. Mirza, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 06-07-2018

The applicant is arrested in Crime 746/2017 registered with Police Station Pandharkawada for offences punishable under Sections 186, 189, 294, 307, 324, 326, 333, 332, 353, 504, 506-II of the Indian Penal Code and Section 4/25 of the Arms Act.

2. The applicant is alleged to have brutally assaulted Police Constables Suhas Mandawar and Sanjeev Khandare. The knife assault on Suhas Mandawar was so brutal that the blade groove had to be removed from the shoulder of the injured policeman. That apart, the earlier bail application came to be dismissed as withdrawn. Perusal of the order dated 20-2-2018 in Criminal Application (BA) 98/2018 reads thus :

“1. Heard learned counsel Shri P.K. Bezalwar for the applicant and learned Additional Public Prosecutor Shri V.A. Thakare for the State.

2. *The present is the application for bail. The accusation made against the present applicant is that he has assaulted 3 police personnels by means of dagger and has caused serious injuries to them.*

3. *After perusing the charge-sheet and after hearing both learned counsel for the parties, when the Court was about to dismiss the application, learned counsel Shri P.K. Bezalwar for the applicant submitted that he wishes to withdraw the present application.*

4. *The criminal application is dismissed as withdrawn.”*

3. It is not even argued that there is any change muchless a change in circumstances to justify moving successive bail application in the teeth of the order reproduced supra.

4. Paragraph 14 of the application reads thus :

“14. The Applicant has not filed any other application before any Court or before the Hon'ble Apex Court any time before filing of present Application. The Applicant is left with no other alternative remedy much less efficacious one except to approach this Hon'ble Court. That the in this matter charge-sheet is not filed.”

5. It is obvious that the applicant suppressed the fact that he approached this Court earlier and when this Court was about to dismiss the application, the same was withdrawn. This application is a gross abuse of the process of law.

6. The application is dismissed with costs of Rs.10,000/- (Rupees Ten Thousand) to be deposited with the High Court Legal Services Sub-Committee, Nagpur within fifteen days.

7. If the applicant does not deposit the costs, the registry to issue *suo motu* contempt

JUDGE

adgokar