

Vidya Amin.

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

CRIMINAL WRIT PETITION NO. 1674 OF 2019

Vakil Aziz Ansari ... Petitioner
VS.
The Senior Police Inspector & Anr. ... Respondents

Mr. Mateen Abdul R. Shaikh a/w. Razique Shaikh, Saba Shaikh,
Advocate for the petitioner.
Mr. Vinod Chate, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 2nd April, 2019**

P.C. :

Rule. Rule made returnable forthwith. By consent, the Writ
Petition is heard finally and decided at the stage of admission.

2. This Writ Petition is directed against the order dated 1st
March, 2019 passed by the learned Metropolitan Magistrate, 45th
Court, Kurla, Mumbai of cancellation of bail of the
petitioner/accused and also the order dated 13th March, 2019
refusing to withdraw the order of cancellation of bail.

3. The learned counsel appearing for the petitioner/accused
submitted that the petitioner/accused was throughout on bail and
is ready to cooperate the Court. He submitted that such mistake
will not take place in future and the petitioner tenders unconditional

apology for this suppression.

4. I have read both the orders passed by the learned Metropolitan Magistrate, 45th Court, Kurla. These orders cannot be faulted with. It is true that the petitioner/accused has suppressed the fact that his Application for bail was rejected by the Sessions Court. The learned Magistrate has rightly cancelled the bail.

5. In view of the submissions of the learned counsel for the petitioner/accused, the impugned orders of cancellation of bail are set aside, only on the ground of giving one opportunity to the petitioner/accused to correct his mistake by attending all the Court dates hereafter, on a condition of payment of Rs.5,000/- to the Legal Aid Service. Hereafter the petitioner shall remain present on all the court dates. The trial Court to proceed with the matter.

6. Writ Petition is allowed.

7. Parties to act upon the authenticated copy of this order.

(MRIDULA BHATKAR, J.)