

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

CRIMINAL BAIL APPLICATION NO. 1153 OF 2019

Shri. Nayan Suresh Shinde	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Pratik R. Kalantri, Advocate for Applicant.
Mr. Prashant Jadhav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 05th SEPTEMBER, 2019

P.C. :

1. The learned counsel appearing for the applicant has filed an affidavit mentioning that during the pendency of this application, charge-sheet was filed. Thereafter, without withdrawing or seeking liberty to withdraw this application, a fresh bail application was filed before the court of Sessions, at Nasik. The applicant was granted bail by the Sessions Court at Nasik. Apparently, pendency of this application was not brought to the notice of the learned Sessions Judge, who granted bail to the applicant. The affidavit is filed personally by the learned advocate for the applicant. He has tendered sincere apology before this

court, as pendency of this application was not brought to the notice of the Sessions court at Nasik. He has candidly stated that this happened because of his lack of experience. Normally, such act on the part of the applicant or his advocate cannot be tolerated, however, in view of the sincere apology tendered by the learned advocate, I am not inclined to take any further action against him. At the same time, I express my strong disapproval of these practices. Since the concerned lawyer is young and inexperienced, I am accepting his apology and disposing of this application. It is made clear that this order shall not be cited as precedent for tolerating such act. It is expected that the court deciding any matter is apprised of all the pending litigation concerning the subject matter. The State is given liberty to move an application for cancellation of bail, if the State is aggrieved by grant of bail to the applicant, on merits. Thus, without commenting any further, the present application is disposed of.

(SARANG V. KOTWAL, J.)