

Anand

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

CRIMINAL APPLICATION NO. 1176 OF 2019

Shikha Vinod Sachdev .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Abad Ponda a/w Mr. Kunal Malhotra & Mr. Yash Jariwala,
Advocate, for the Applicant

Mr. P. H. Gaikwad-Patil, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 19.09.2019

P.C.

. By this Application, the Applicant has impugned the order dated 15.01.2019 passed by the learned Additional Sessions Judge, City Civil & Sessions Court, Borivali Division, Dindoshi in M. A. No. 252 of 2018, by which the Applicant's bail came to be quashed & set aside. The Applicant also seeks restoration of the order dated 17.11.2018 passed in ABA No. 1434 of 2018, by which the Applicant was granted protection from arrest in C. R. No. 489 of 2018 registered with the D. N. Nagar Police Station for the offences punishable under Sections 498A, 406, 420, 354, 323, 504 r/w 34 of the Indian Penal Code.

2. Perused the papers. The Applicant had initially filed

Cri. Revision Application No. 67 of 2019 in this Court challenging the impugned order dated 15.01.2019 passed by the learned Additional Sessions Judge, City Civil & Sessions Court, Borivali Division, Dindoshi in M. A. No. 252 of 2018, by which the learned Sessions Judge was pleased to quash and set aside the Anticipatory Bail granted to the Applicant. This Court vide order dated 11.02.2019 stayed the impugned order 15.01.2019 and directed the Applicant not to leave India and co-operate with the police in the investigation. The said order was continued from time to time. As the Revision Application is not maintainable, learned counsel for the Applicant filed the aforesaid Application seeking the very same prayers as sought for in the Revision Application. Accordingly, a separate order is passed today disposing of the Cri. Revision Application, as not maintainable. It appears that the learned Sessions Judge cancelled the Anticipatory Bail granted to the Applicant on two counts; (i) that she failed to appear before the police station as directed by the order granting Anticipatory Bail, till filing of charge-sheet (once a week) and (ii) that she travelled out of India without the prior permission of the Court. The Applicant has tendered her unconditional apology from failing to abide by both the conditions. Learned counsel for the Applicant states that the Applicant has, thereafter, pursuant to the interim protection granted in the Revision Application reported to the concerned police station on a number of

occasions, only to show her bonafides. Learned counsel for the Applicant states that the Applicant has tendered her unconditional apology and she will not travel out of India without the prior permission of the trial Court. Statement accepted.

3. Considering the aforesaid, the Application is allowed in terms of prayer clauses (a) and (b). Accordingly, the Application is disposed of.

(REVATI MOHITE DERE, J.)