

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Cr. Application NO. 525 OF 2018

Mahasiddha Siddhanna Chougule ...Petitioner(s)
Versus
The State Of Maharashtra And Ors ...Respondent(s)

WITH

Cr. Appeal NO. 1006 OF 2017

Mahasidha Sidhanna Chougule And Ors ...Petitioner(s)
Versus
The State Of Maharashtra ...Respondent(s)

WITH

Cr. Appeal NO. 1075 OF 2017

Somling Hanmant Birajdar And Ors ...Petitioner(s)
Versus
The State Of Maharashtra ...Respondent(s)

WITH

Cr. Application in Appeal NO. 1490 OF 2018

IN

Cr. Appeal NO. 1075 OF 2017

Nigonda Hanmant Birajdar ...Petitioner(s)
Versus
The State Of Maharashtra ...Respondent(s)

Mr.Sudhir Halli for the applicant in Appln No. 525 of 2018, Appeal No. 1006 of 2017 and respondent in Cri. Application No. 1490 of 2018.

Mr. Ritesh Thobde for the applicant in Cri. Appln No. 1490 of 2018.

Mr.J.P.Yagnik, APP for the State.

**CORAM : B.P. DHARMADHIKARI &
SANDEEP KASHINATH SHINDE, JJ.
DATE : AUGUST 19, 2019**

P.C.:

Accused no. 3 is seeking bail. Learned APP submits that he is not having papers. We are not inclined to go into the inter se dispute between two learned counsel. Learned APP can obtain one more set from the counsel for the applicant.

2. Counsel for the intervener points out that the bail is being sought on the ground of parity. The bail has been granted earlier on 8/6/2018 to appellant accused in Criminal Application No. 72 of 2018. He has moved an application for recall of that order pointing out suppression of material facts. It will be appropriate to list that application also for consideration along with the present matter.

3. Accordingly list Criminal Application No. 1689 of 2018 for hearing along with Criminal Application No. 1490 of 2018.

4. Criminal Application No. 525 of 2018 is taken out by the complainant in the counter case challenging the acquittal of

accused persons. The convicted accused are seeking bail in the very same offence.

5. Though respondent no.2 to 5 therein are reported to be served, there is no appearance. By Criminal Application No. 525 of 2018, prayer is to condone the delay of 241 days. Learned APP appearing for respondent no.1 State has no objection. He points out that the State Government has also preferred an application under section 374 Cr.P.C. vide Criminal Application No. 12 of 2019 which is pending. As such we condone the delay. The proceedings filed under section 378(4) Cr.p.c. by applicant Mahasiddha be registered. The said proceedings and application moved by the State Government be placed for consideration on 03/09/2019 along with Criminal Application No. 1490 of 2018.

(SANDEEP KASHINATH SHINDE, J.)

(B.P. DHARMADHIKARI, J.)