

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

924 CRIMINAL APPLICATION NO.2342 OF 2020

SUYOG SUDHAKAR LALSARE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Ladda Sagar S
Mr. DR Kale, Public Prosecutor for Respondent-
State.

CORAM : SMT.VIBHA KANKANWADI,J.
DATE : 16th December, 2020.

PER COURT:-

1. Heard learned Advocate for applicant as well as learned Public Prosecutor for respondent-State.

2. A small point is involved in this matter. It appears that ad interim protection was granted to the applicant by order below Exhibit-4 in Criminal Bail Application No.249/2020 on 20.11.2020 and it was continued till 8.12.2020. On 8.12.2020, it appears from the record that learned Advocate for the applicant was ready to argue the matter. It was also submitted by learned APP before the concerned Court that the other bail applications, arising out of the same crime, have been kept on 14.12.2020 and he submitted that the matter would be argued on 14.12.2020. But, it appears that the Judge did not continue the interim protection. On the next day, thereafter one more application was filed with almost similar prayer and it was stated that the legal position was tried to be submitted

at that time and after referring the authorities/citations, those were referred, that application has also been rejected.

3. In fact, learned Additional Sessions Judge ought not to have gone ahead with writing a detailed order. It is not clear from both the orders, i.e. Exhibit-9 and 10, as to why she did not ask the applicant to submit the arguments and if she would have heard the arguments of learned Advocate for the applicant, then she could have insisted learned APP to argue the matter, who had there, when Exhibit-9 application was pressed, and has stated that he would argue the matter on 14.12.2020.

4. This Court does not want to go much in detail as to what has been laid down in the authorities/citations, those have been referred in the order below Exhibit-10. But, judicial propriety requires that if the matters are arising out of the same crime, then it would have been easy for learned Additional Sessions Judge to take a particular view and to hear those matters once and decide them in once.

5. Learned Public Prosecutor submits that the matters have been kept tomorrow and the learned APP representing there would go ahead with the matters. Learned Advocate for the applicant herein also submits that the learned Advocate, who is representing the applicant before the learned Additional Sessions Judge, would go ahead with the matter.

6. Under such circumstance, the present

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application deserves to be disposed of with direction to the learned Additional Sessions Judge to hear all the matters which would be listed from the same crime, tomorrow, preferably and decide them at once. If any hurdle is created or told on behalf of the applicant, then, learned Additional Sessions Judge is at liberty to deal with the matters in accordance with law. However, till tomorrow, the order passed by the learned Additional Sessions Judge below Exh. 4 on 20.11.2020 is hereby extended. Order accordingly.

(SMT. VIBHA KANKANWADI,J.)

BDV