

vks

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

CRIMINAL REVISION APPLICATION NO. 125 OF 2016

Sanjay Rajbahadur Agarwal
and ors

... Applicants.

V/s.

The State of Maharashtra

... Respondent

Mr. Aditya Pratap, for the applicants
Mr. A. A. Palkar, APP for Respondent State.

CORAM : C.V. BHADANG, J.

DATE : 13rd March, 2020.

P.C. :

1] By this Revision, the applicants-original accused are challenging the order dated 24th February, 2016 passed by the learned Additional Sessions Judge, Greater Bombay, in Misc. Application No.827 of 2014. By the impugned order, the Anticipatory Bail granted to the applicants on 25th August, 2015 in Anticipatory Bail Application No.1404 of 2015 (arising out of crime No.177 of 2015, P.S. Amboli.), has been cancelled.

2] Heard the learned counsel for the applicants and the learned APP for the respondent.

3] A perusal of the impugned order, shows that Anticipatory Bail granted to the applicants has been cancelled, on the ground that the applicants were not co-operating with the investigating agency. The record discloses that the impugned order has been stayed by this Court and as such the applicants continue to remain on bail.

4] It transpired during the course of arguments at Bar since after filing of the present Revision Application, investigation is complete and the chargesheet is filed which is registered under Criminal Case No.2460/PW/2017 in the Court of Metropolitan Magistrate at Andheri.

5] It is undisputed that since after filing of the chargesheet, applicants have been granted regular bail. The learned counsel for the applicant has placed reliance on the decision of this Court in the case of **Priyanka Pakvasa vs Sameer Pakvasa and anr**, in Criminal Application No.723 of 2014 in Anticipatory Bail Application No.1785 of 2014, with Criminal Application No. 1001 of 2015 in Criminal Application No.723 of 2014, decided on 25.01.2016, in order to submit that after filing of the chargesheet and release of the accused on regular bail, anticipatory

bail cannot be cancelled.

6] Having heard the learned counsel for the parties, I find that in the circumstances noted above and that the investigation is complete and chargesheet is filed and the applicants are released on bail, the impugned order cannot be sustained. In the result, Revision Application is allowed. The impugned order cancelling the anticipatory bail to the applicants is hereby set aside.

[C.V. BHADANG, J.]