

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 40 OF 2020

Pandurang s/o Babulal Gajbhar .Vs. State of Maharashtra, through PSO, PS,
Karanja Gramin, Tq. Karanja, Dist. Washim

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. D.G. Dhoble, Advocate for applicant.

Mr. V.A. Thakare, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : FEBRUARY 14, 2020

This is a second application for bail filed on behalf of applicant – Pandurang. It is always open for the accused to file successive bail applications. However, for that it is incumbent on the part of such applicant to point out to the Court the change in circumstance.

In the present case, before filing to present application, applicant approached to this Court by filing Criminal Application (BA) No.542/2019. The said application was filed after filing of the charge-sheet before the Court of law. The said application came up for its hearing on 06.08.2019 and this Court (Coram: Manish Pitale, J.) after considering the arguments of the learned counsel for the applicant, expressed that the Court is rejecting the application. Hence, learned counsel for the applicant sought permission to withdraw the application. Accordingly, the application was disposed of as withdrawn.

From the order dated 06.08.2019 it is crystal clear that application of the applicant was considered on its own merit.

The learned counsel in the present applicant could not point out any change in circumstance. Only change in circumstance is the earlier application was argued by some other learned counsel and the present application is argued by Mr. Dhoble, learned counsel. In my view, only change in circumstance is change of Advocate and it cannot be termed or considered to be change in circumstance. Hence, the application is rejected.

CRIMINAL APPLICATION (APPP) NO. 21 OF 2020

This is an application for assisting the prosecution filed by the original complainant.

For the reasons stated in the application, the application is allowed. Counsel for complainant is allowed to assist the prosecution.

The application is disposed of.

JUDGE