

1**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
NAGPUR BENCH, NAGPUR.**CRIMINAL APPLICATION [BA] NO. 151/2020.**

Panjab Gulabrao Shinde

-VERSUS-

The State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.D. Girdekar, Advocate for the Applicant.
Shri A.M. Chutke, A.P.P. for the Non-applicant.

CORAM : VINAY JOSHI, J.**DATE : AUGUST 24, 2020.**

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The applicant is seeking bail in Crime No. 212/2011, registered at Balapur Police Station, District Akola. The applicant seeks bail by assuring that in future he would scrupulously attend all the dates before the Court on which the matter is listed.

3. The State has resisted the bail by contending that the applicant if released on bail, he may not remain present and accordingly the trial would be delayed.

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4. The alleged incident is of the year 2011. The applicant after facing custodial interrogation was released on bail long back on 31.01.2012. It reveals that till 06.04.2018, the applicant had attended the proceedings before the Trial Court, and then remained absent for some date. Since the applicant remained absent, the Trial Court has issued non-bailable warrant vide order dated 31.07.2018, and in turn the applicant came to be arrested on 16.10.2018. The applicant applied for bail to the Sessions Court, however, it was rejected. Apparently, on merits the applicant was released on bail in the concerned crime. The only aspect is about assurance of the applicant to remain present in the Court proceeding.

5. As per submission, from the year 2012 to 2018 the applicant had attended the Court proceedings, but, due to failure to attend the proceedings on few dates, warrant was issued on 31.07.2018. It is not the case that the applicant was absconding for years together. Now the applicant is in jail from 16.10.2018 i.e. for near about 2 years. Having regard to the said fact, the said period is quite sufficient to teach the applicant to remain present in

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the Court for facing trial. In view of above, following order is passed.

- (i) Criminal Application is allowed.
- (ii) The applicant/accused – Panjab Gulabrao Shinde, is released on bail on his furnishing P.R. Bond of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant/accused shall attend each and every date before the Trial Court, unless specifically exempted by the said Court.
- (iv) Similarly, the applicant / accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

6. This order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

Rgd.