

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

CRIMINAL BAIL APPLICATION NO.54 OF 2020

Yogesh Sukdev Supekar	Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Sachindra B. Shetye, Advocate for the Applicant.
Smt. A.A. Takalkar. , APP for the Respondent-State.

CORAM :SARANG V. KOTWAL, J.
DATE : 21st JUNE, 2021
[Through Video Conferencing]

P.C. :

1. A praecipe dated 17.6.2021 is moved for withdrawal of this application.
2. Learned counsel for the applicant states that during pendency of this application, two of the accused who are similarly placed are granted bail by the trial Court. He submits that the principles of parity apply to him. He submits that this is a change in circumstance which entitles him to approach the same court.
3. Learned APP has left the matter to the discretion of this Court.
4. Since the applicant is claiming change in circumstance, he can approach same court for same relief in the changed

circumstances which were not in existence when this application was filed. Therefore, I am inclined to permit learned counsel for the applicant to withdraw this application. Hence the following order :

:: O R D E R ::

- (i) The application is allowed to be withdrawn with liberty to the applicant to approach the trial Court for his release on bail in the aforementioned changed circumstances.
- (ii) It is made clear that the trial Court shall decide the bail application on its own merits in accordance with law by examining as to whether principles of party apply in favour of the applicant.
- (iii) All the questions are left open which the prosecution can also agitate before the trial Court.
- (iv) The application is disposed of in the aforesaid terms.

(SARANG V. KOTWAL, J.)