

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.291 of 2020

Mohd.Aslam Iliyas Bagwan	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

...

Mr. Atul Patil for the applicant.
Mr.S.H. Yadav, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 31st JULY 2021

P.C:-

1 Counsel for the applicant seeks permission to withdraw the application since the applicant is already released on bail by the Sessions Court, during the pendency of the present Application.

2 Application is filed before this Court on 20th January 2020 and was kept pending without seeking circulation only for one date, being 18th March 2020. In the mean time, the applicant took a chance before the Sessions Court and, when he succeeded there, he seeks withdrawal of the present application.

3 On being inquired, learned counsel for the applicant states that the applicant appointed another counsel before the Sessions Court to argue the application and he is also taken by surprise when he received the instructions to withdraw the present application.

4 Such conduct on part of the applicant is deprecated and the applicants cannot mislead this Court by keeping his application pending here and, and at the same time, taking chance before another Court. In order to discourage such type of tendencies amongst the accused persons, it is necessary to impose exemplary costs.

5 The Application is therefore, permitted to be withdrawn but subject to costs of Rs.10,000/- being deposited with the High Court Legal Services Committee within a period of two weeks. It is made clear that failure to deposit the costs as directed, will entail in cancellation of bail by bringing the same to the notice of the Sessions Court. On such deposit being made, matter should be listed before this Court for compliance after two weeks.

6 Stand over to 18th August 2021 for compliance.

SMT. BHARATI DANGRE, J