

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

CRIMINAL APPLICATION NO. 105 OF 2017

Uday Vishwasrao Misal ..Applicant

v/s.

The State of Maharashtra & Anr. ..Respondent/s

None for the Applicant.

Mr. P.H.Gaikwad, APP for the Respondent-State.

Mr. Indrajeet Joshi for the Respondent Nos. 3 to 17.

CORAM : ANUJA PRABHUDESSAI, J.

DATED : 7th September, 2021.

P.C.

1. None present for the Applicant though the matter was listed under the caption “for dismissal”.

2. This is an Application under Section 439 (2) of Cr.P.C. for cancellation of pre-arrest bail granted to Respondent Nos.3 to Respondent No.17 by order dated 06.06.2015 in ABA 254 of 2015. It appears that the Applicant is not interested in pursuing the matter.

3. I have considered the submissions advanced by the learned Counsel for the State and learned Counsel Mr. Joshi, for the

Respondent Nos.3 to 15. The records reveal that the Respondent Nos.3 to 15 were granted pre-arrest bail by order dated 3.6.2015. Charge-sheet has been filed and the matter has been fixed on 21.9.2021 for framing of charge. Learned APP states that the charge could not be framed in view of the absence of the Respondents. Learned Counsel for the Respondents states that the Respondent could not appear due to COVID-19 pandemic. He makes a statement that the Respondents will appear before the trial Court on 21.09.2021.

4. Having gone through the records, in my considered view, no case is made out to cancel the bail. Hence the application is dismissed.

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(ANUJA PRABHUDESSAI, J.)