

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

***CRIMINAL APPLICATION NO. 117 OF 2017***

S. M. Batha Education Trust

through its Trustee

Zubeen D. Nallaseth & Anr.

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Vivek Walawalkar a/w Mr. Dhiraj Chavan, Mr. Sandeep Dharap,  
Mr. Sanjay Rego i/b Deven Dwarkadas & Partners for the Applicants

Mr. S. V. Gavand, A.P.P for the Respondent No.1–State

None for the Respondent Nos. 2 & 3

**CORAM : REVATI MOHITE DERE, J.**

**FRIDAY, 19<sup>th</sup> MARCH 2021**

**P.C. :**

1 By this application, the applicants seek quashing and setting-aside of the order dated 16<sup>th</sup> November 2016, granting bail to respondent No.2-Kersi Phiroz Rustomji and respondent No. 3-Merwan Ali Dubash. The aforesaid application was filed in 2017 and no steps were taken till date for taking the aforesaid application on Board. The said application is today

listed on Board, not at the instance of the applicant but at the instance of the Registry to place old matters on Board.

2           The order granting bail to the respondent Nos. 2 and 3 was passed on 16<sup>th</sup> November 2016. It appears that charge-sheet has been filed and the case is pending before the trial Court and is numbered as **RCC No. 14/2018**. A perusal of the impugned order does not show that the said order is perverse, warranting interference in the same. Even otherwise, almost 4½ years have passed since the said order was passed.

3           Considering the aforesaid, no interference is warranted in the said order. Application is accordingly rejected.

**REVATI MOHITE DERE, J.**