

Megha

4& 7_appln_139_2015 & 769_2015.doc

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

CRIMINAL APPLICATION NO.139 OF 2015

Harsh Satpal Malhotra

...Applicant

Versus

Nikhilesh Guruprasad and Anr.

...Respondents

**CRIMINAL APPLICATION NO.769 OF 2015
WITH
CRIMINAL APPLICATION U/S 482 NO.1266 OF 2015**

Harsh Satpal Malhotra

...Applicants

Versus

Sandeep Mendiratta and Anr.

...Respondents

....

Mr. Mohan Rao for the Applicant.

Mr. S.V. Gavand, APP for the Respondent-State.

Ms Shaheen Kapadia i/b. Mr. Prashant Patil for Respondent No.2

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 13th SEPTEMBER, 2021.

P.C.:-

By this Criminal Application No.139 of 2015 filed under Section 439 (2) of the Code of Criminal Procedure, 1973 the Applicant seeks cancellation of pre-arrest bail granted to Respondent No.1 vide order dated 9th December, 2014 by the learned Judge in Anticipatory Bail Application No. 2140 of 2014. Whereas Criminal Application No.769 of 2015 is for cancellation of bail granted to Respondent No.1

vide order dated 18/02/2015 passed by Additional Chief Metropolitan Magistrate, 9th Court, Bandra, Mumbai in Bail Application No.52 of 2015.

2. Mr. S.V. Gavand, learned APP states that the application for cancellation of bail filed by the State was withdrawn on 05/02/2018. He further states that the charge sheet has already been filed.

3. Mr. Mohan Rao, learned counsel for the Applicant states that on the last date of hearing he had sought discharge and that the date of hearing was intimated to the Applicant. He was granted leave to withdraw his appearance. Learned counsel for the Applicant has placed on record copy of the email to show that date of todays hearing was intimated to the Applicant. Despite which the Applicant is not present. The applications are therefore dismissed for non prosecution.

(SMT. ANUJA PRABHUDESSAI, J.)