

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2337 OF 2021

Nagesh S. Hatangale ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Deepak Mishra for the Applicant.
Mr. A.D. Khamkhedkar APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : SEPTEMBER 29, 2021.

P.C. :

It is successive bail application. The First Bail Application was rejected on 18th September, 2020.

Paragraph 3 of the said order reads as under:

“However, if the trial does not commence on or before 31st May, 2021, applicant may renew his request for enlargement on bail”.

2 It is, informed although the investigation was over long back, till date, the case has not been committed to the Court of Sessions. It is evident from the Roznama placed on

2021.odt

record by the applicant. I am informed that next scheduled date is 4th January, 2022, at which the case may be committed to the Court of Sessions.

3 Herein the alleged incident had occurred on 12th February, 2020 wherein the applicant allegedly assaulted injured, with iron rod. The applicant was apprehended on 13th February, 2020; as such, he has been incarcerated since more than a year and half without there being any progress in the case. Thus, trial is not likely to commence in near future. Therefore, in my view, by imposing suitable conditions, presence of the applicant can be secured for trial. Besides, there are no criminal antecedents against the applicant. For these reasons, application is granted. Hence, the following order:

ORDER

(I) Applicant is directed to be released on bail in Crime No.I-70 of 2020 registered with M.Phule Chowk Police Station, Kalyan, Dist: Thane on executing bond in the sum of Rs.30,000/- with one or more sureties in the like amount.

(ii) Applicant shall attend the concerned police station once in a month, i.e., 2nd Monday of each month between 11 a.m. to 1 noon commencing from October, 2021 till the charge is framed.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case

4 The application is accordingly allowed and disposed of.

5 It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)