

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

**CRIMINAL APPLICATION NO. 409 OF 2017**

|                                   |                  |
|-----------------------------------|------------------|
| Meenaz Abdullah Pagdiwala         | .... Applicant   |
| v/s.                              |                  |
| The State of Maharashtra and ors. | .... Respondents |

Ms. Pooja Joshi i/b. Mr. Ashok M. Saraogi for the Applicant.  
Mr. Ajay Patil, APP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.**

**DATED : 07<sup>th</sup> OCTOBER, 2021.**

**P. C. :-**

. This is an Application for cancellation of pre-arrest bail granted by the learned Additional Sessions Judge (Borivali Division), Dindoshi, Mumbai vide order dated 01/07/2017 in Anticipatory Bail Application No.693/2017.

2. Heard Ms. Pooja Joshi, learned counsel for the Applicant and Mr. Ajay Patil, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The main ground for cancellation of bail is that the respondents

are threatening the Applicant and that the Respondent No.5 has left the country without prior permission of the Court which is in violation of the condition no.3 of the bail order.

4. Learned APP states that Respondent No.5 was a juvenile and he was tried in Juvenile Justice Case No.568/JW/2017. He has placed on record copy of the order which shows that Respondent No.5 had pleaded guilty and the Juvenile Justice Board, Dongri, Mumbai has allowed him to go home after admonition and counseling vide section 18(1)(a) of the Juvenile Justice Act. Since no case is pending against Respondent No.5, there is no embargo on his traveling abroad.

5. The records reveal that the Applicant and the Respondents are the members of the society. There is a dispute between them and both parties have filed complaint and cross-complaint against each other. Under such circumstances, bail cannot be cancelled on vague allegation of threat. Cancellation of bail on such vague statement would amount to nullifying the bail order. The Application has no merits and is accordingly dismissed.