

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

CRIMINAL APPLICATION NO.576 OF 2016

Mrs.Sahana Mohd. Jalaudin Shaikh .. Applicant

Versus

State of Maharashtra and Ors. .. Respondents

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Mr.Ajay Kumar Singh a/w. Mr.Piyush Singh, Advocate for the Applicant.

Mr.S.R. Agarkar, APP for the Respondent – State.

PSI Sawant, Deonar Police Station, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : JULY 19, 2021.

P.C. :

This is an application for cancellation of bail granted to respondent nos.2 and 3.

2 Respondent nos.2 and 3 were arrested in connection with C.R.No.103 of 2016, registered on 23rd April, 2016, for the offence punishable under Section 304 read with 34 of IPC. Pursuant to the arrest, the application for bail was preferred before the Sessions Court. The Sessions Court by order dated 13th May, 2016, granted bail to the respondents. Learned counsel for

the applicant submits that the offence is of serious nature, the Sessions Court ought not to have granted bail to the respondents. The same respondents were tried for the offence under Section 498 A and 406 of IPC earlier vide C.C.No.1417/PW/2013 (C.R.No.60 of 2013), which was resulted in acquittal.

4 Learned APP, on instructions, submits that the witness summons is issued in the present case but due to pandemic, the trial could not proceed.

5 I have perused the order dated 13th May, 2016. The learned Sessions Judge has granted bail to respondent nos.2 and 3, by assigning reasons. Apparently, investigation was completed. Charge-sheet was filed. Trial is due for commencement. I do not find any reason to interfere in the impugned order. No case is made out to cancel the bail granted to the applicant.

:: ORDER ::

- (i) Criminal Application No.576 of 2016, is rejected, and, disposed of accordingly.

(PRAKASH D. NAIK, J.)