

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 APPLICATION FOR CANCELLATION OF BAIL NO. 84
OF 2022

SUREKHA W/O BHANUDAS TANPURE
VERSUS
TUKARAM HARIBHAU TANPURE AND OTHERS

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Advocate for Applicant : Mr. Narayan B. Narwade
Advocate for Respondent Nos. 1 to 6 : Mr. N. B. Patekar
APP for Respondent No.7 : Mr. S. B. Narwade

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CORAM : S. G. MEHARE, J.
DATED : 19 SEPTEMBER 2022

PER COURT :-

1. Heard learned counsel for the applicant, learned counsel for respondent nos. 1 to 6 and learned APP for the respondent State.
2. The State is a formal party.
3. The applicant has a case that subsequent to the bail granted to the respondents, she came in possession some documents of her medical treatment due to the alleged assault by the respondents.

4. The Hon'ble Apex Court in the case of ***Gurucharan Singh v. State (Delhi Administration)*** AIR 1978 SC 179 has laid down the law that after granting bail by the Sessions Court, the State may move the Sessions Judge if certain new circumstances have arisen which were not earlier known to the State and necessarily, therefore, to that Court. The applicant has exactly the case that new material has been found and new circumstances have arisen subsequent to the bail granted by the learned Sessions Court. Therefore, as per the law laid down by the Hon'ble Apex Court in ***Gurucharan Singh*** (supra), the applicant has the remedy to approach before the Sessions Court. Since the present application in the above circumstances cannot be entertained by this Court, the same stands dismissed with liberty to approach before the Sessions Court. No order as to costs.

[S. G. MEHARE, J.]