

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 243 OF 2022

Shweta Sachin Salunkhe Applicant
Versus
The State of Maharashtra Respondent

Ms. Taribun A. Shaikh for the Applicant.
Smt. A. A. Takalkar, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 9th FEBRUARY, 2022

(Through Video Conferencing)

P.C. :

1. In ABA No.242/2022 and ABA No.244/2022, vide order dated 4th February, 2022, this Court has granted liberty to the Applicants to approach the Sessions Court for the same relief and to argue the matter on merits in connection with Bail Application No.76 of 2017.

2. Learned counsel for the Applicant states that the present Applicant was also one of the Applicants in Bail Application No.76 of 2017 before the Sessions Court at Palghar, and therefore, the similar order and similar liberty be granted to the Applicant.

3. Considering that those Applicants were not present before the Sessions Court and the matter was not argued on merits. No fault

can be found in the Sessions Court's approach in rejecting that Application.

4. In the interest of justice, I have permitted Accused Sachin Chandrakant Salunkhe and Chandrakant Dattu Salunke to approach the same Court. The same liberty can be granted to the present Applicant as she was also one of the Applicants in Bail Application No.76 of 2017 before the Sessions Court (Palghar).

5. Learned counsel for the Applicant prays for withdrawal of this Application with a similar liberty.

6. Permission granted.

7. The Applicant is at liberty to approach the Sessions Court for the same relief and to argue the matter on merits which was the subject matter of Bail Application No.76 of 2017 before the Sessions Court at Palghar. This time it is expected that the Applicant attends to her Application which she intends to file diligently. If on this occasion also she is not diligent in attending the Application, the Sessions Court is free to pass the similar order. However, if the Applicant approaches the Sessions Court with fresh Anticipatory Bail Application on merits of the matter, the Sessions Court shall consider it without being influenced by the earlier order. All the questions on merits, as well as, on the conduct of the Applicant are left open to be decided by the Sessions

Court, if such Application is preferred by the Applicant.

8. With these observations, the Application is allowed to be withdrawn and is disposed of as such.

(SARANG V. KOTWAL, J.)