

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

ANTICIPATORY BAIL APPLICATION NO. 242 OF 2022

Sachin Chandrakant Salunkhe Applicant
Versus
The State of Maharashtra & Anr. Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 244 OF 2022**

Chandrakant Dattu Salunkhe Applicant
Versus
The State of Maharashtra & Anr. Respondents

Ms. Taribun A. Khan a/w. Fahad F. Chougale for Applicants in both ABAs.

Mr. P. H. Gaikwad, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 4th FEBRUARY 2022
(through Video Conferencing)

P.C. :

1. Learned APP points out and learned counsel for the applicants accepts that, before the sessions court in both these matters applications for anticipatory bail were filed. However, no arguments on merits were advanced on their behalf. The applicants were not present in the court and, therefore, the

application was rejected. I have perused the order passed in Bail Application No. 76 of 2017 in the matter of Sachin Salunkhe and two others. The sessions court observed to that effect. The sessions court has also observed that the offence was serious in nature. No fault can be found in the sessions court's approach in rejecting the application.

2. Considering that the matter was not argued on merits and now learned counsel for the applicants undertakes to work out the application which is to be filed before the sessions court. She also seeks permission to withdraw these applications with liberty to the applicants to approach the sessions court for the same relief again, I am permitting the applicants to withdraw these applications.

3. The applicants are at liberty to approach the sessions court for the same relief and to argue the matter on merits. This time it is expected that the applicants attend to their applications which they intend to file diligently. If on this occasion also they are not diligent in attending the applications, the sessions court is free to pass the similar order. However, if the applicants approach the

sessions court with fresh anticipatory bail applications 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 applicants are left open to be decided by the sessions court, if such applications are preferred by the applicants.

4. With these observations the applications are allowed to be withdrawn and are disposed of as such.

(SARANG V. KOTWAL, J.)