

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.370 OF 2019

Waseem Abdul Hamid Kazi .. Applicant
Versus
Sakib Mukadam and ors .. Respondent
...

Mr. Nadeem Shaikh for the applicant.
Smt. Anamika Malhotra, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 29th JUNE, 2022

P.C:-

1 After the applicants/accused in C.R. No.I 372 of 2016 were released on bail by order dated 5/01/2017, and 7/08/2017, respectively, after a gap of almost 6 years, their bail is sought to be cancelled, by the applicant, who is the complainant.

2 Perused the orders, against which the grievance is made. As far as first order is concerned the learned Judge recorded that the dispute is quasi civil in nature and a civil suit is pending for the recovery of the amount and therefore, the applicant cannot be detained in custody.

As far as the present second order is concerned, the Court has arrived at a conclusion that the investigation is over and the custody is not required.

3 In any case both the orders are passed in the year 2017. The trial must have commenced and therefore, the concerned applicants cannot be denuded of their liberty after such a gap of time.

4 Application is rejected.

(SMT. BHARATI DANGRE, J.)