

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

CRIMINAL APPLICATION NO.77 OF 2021

The State of Maharashtra ... Applicant

Vs.

Gulchand Janardhan Dolas ... Respondent

**WITH
CRIMINAL APPLICATION NO.80 OF 2021**

The State of Maharashtra ... Applicant

Vs.

Deepak Rambhaji Padekar & Anr. ... Respondents

Ms.M.M. Deshmukh, for the Applicant-State in both Applications.

CORAM : C.V. BHADANG, J.

**DATE : 5 JANUARY 2022
(Through Video Conferencing)**

**NILAM
SANTOSH
KAMBLE**

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NILAM SANTOSH
KAMBLE
Date: 2022.01.05
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P.C.

. These applications are for cancellation of bail granted to the Respondents-Accused. The learned Additional Public Prosecutor points out that, a similar application for cancellation is filed before the learned Sessions Judge at Khed-Rajgurunagar, District-Pune, which is pending. It is pointed out that according to the Applicant-State certain material aspect was not pointed out

to the Sessions Judge which has resulted into the grant of the bail to the Respondent-Accused.

2. In view of the fact that the ground for cancellation is of suppression of material facts before the Sessions Judge, it would be proper for the State to prosecute the application for cancellation of bail, before the concerned Sessions Judge, in the first instance.

3. In that view of the matter the present applications are not entertained at this stage. The Applications are accordingly disposed of with liberty to the State to prosecute the application for cancellation before the Sessions Judge on all available grounds.

4. It is made clear that this Court has not expressed any opinion on the merits of the prayer for cancellation. Rival contentions of the parties on merits are left open.

C.V. BHADANG, J.