

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.196 of 2022

Azam Ali Gulam Ali Shaikh .. Applicant
Versus
Yasmeen Fakir (Fakira) Pinjari @ .. Respondents
Nadia Khan and anr

...

Mr.Pradeep Havnur with Sanjay Kharat and Prajakta Jagtap for the applicant.
Mrs.Veera Shinde, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 27th JUNE, 2022

P.C:-

1 By the present application, the order passed by the Sessions Court in Criminal Bail Application no.3044/20021 refusing to cancel the bail, is challenged.

Heard learned counsel for the applicant and perused the order dated 3/3/2022.

2 The applicant who was an informant, moved the Sessions Court seeking cancellation of the bail granted by the Metropolitan Magistrate, 12th Court, Bandra on 18/8/2021. It is to be noted that the offence was registered by invoking Sections 384, 453, 323, 504, 506 read with Section 120-B of IPC.

3 An application was moved by stating that grant of bail is erroneous; firstly on the ground that the criminal antecedents have been ignored and this aspect was not focussed upon, the second ground on which the cancellation was sought, is as per the Investigating Officer, the amount and vehicle is yet to be recovered. The learned Judge dealt with the said aspects in paragraph nos.8 to 10. As far as antecedents are concerned, it is recorded that there are no documents on record to show any past offences registered against him.

4 As far as the vehicle is concerned, it is noted that the police custody was sought for its recovery, but it could not be recovered and the learned Judge also recorded that cash should have been recovered.

The learned Judge ultimately concluded that the Investigating Agency was granted sufficient opportunity to recover the same, but on their failure, the bail cannot be cancelled.

5 I do not see any legal infirmity in the said order.

Accordingly, the present application is dismissed.

(SMT. BHARATI DANGRE, J.)