

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO.175 OF 2022
IN
CRIMINAL APPLICATION (BA) NO.1302 OF 2021 (D)

WITH
CRIMINAL APPLICATION (APPP) NO.176 OF 2022
IN
CRIMINAL APPLICATION (BA) NO.1306 OF 2021 (D)

Abhijit s/o Jayant Chaudhari

Vs.

State of Maharashtra Through Economic Offence Wing (EOW) Civil Lines, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. D. V. Chauhan, Advocate for applicant in both applications
Mr. I. J. Damle, APP for non-applicant in Cri. Appl. No.175/2022
Mr. S.A. Ashirgade, APP for non-applicant in Cri. Appln.No.176/2022

CORAM : AVINASH G. GHAROTE, J.
DATE : 04/02/2022

1. Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Criminal Application Nos.175/2022 and 176/2022 seek clarification of Condition No.(ii) in the order dated 14.01.2022, passed by this Court.

3. It is contended by Mr. Chauhan, learned Counsel for the applicant that the learned Sessions Court has misconstrued the order to mean that four sureties would be required, each in both the crime numbers, whereas condition No.(ii) does not so indicate.

(2)

4 & 5. app.175 & 176.2022

4. It is clarified that in so far as condition No.(ii) in the order dated 14.01.2022 is concerned, it takes into consideration both the crime numbers, while directing the release of the applicant on bail upon furnishing two solvent sureties of Rs.5,00,000/- each. There is no question of ambiguity in the said order, as it is very much clear, that the same clearly spelt out the release of the applicant by considering both the crime numbers. It appears that the applicant has been unnecessarily deprived of his liberty under misconception. The learned Sessions Court would be well advised to act upon the said order, forthwith and ensure the release of the applicant in terms of the order dated 14.01.2022.

5. Criminal Applications stand disposed of.

6. Copy of this order be supplied to the learned Additional Public Prosecutor, who will convey the same to the learned Sessions Court forthwith to enable it to act upon it.

JUDGE

Sarkate