



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1736 OF 2023

- 1] Chitra Adinath Jadhav
2] Pallavi Akshay Jadhav .. Applicants

VERSUS

- 1] The Superintendent of Police,
Ahmednagar
2] The Police Inspector,
Topkhana Police Station,
Tq. & Dist. Ahmednagar .. Respondents

...
Advocate for the applicants : Mr. Rahul R. Karpe
APP for the respondent – State : Mr. G.A. Kulkarni
...

CORAM : MANGESH S. PATIL, J.

DATE : 14 DECEMBER 2023

ORAL ORDER :

Heard.

2. The learned advocate for the applicants, on instructions, seeks leave to withdraw the application.

3. In the normal course, the request being innocuous, could have been straightway accepted since this is an application for anticipatory bail which is being sought to be withdrawn unconditionally.

4. However, as I would point out the applicants have been mischievous. Their first attempt to seek anticipatory bail had failed in the form of withdrawal of Anticipatory Bail Application no. 1543 of 2019. They filed second time Anticipatory Bail Application no. 1203 of 2020 which was also withdrawn on on 31-10-2023.

5. It transpires that the Anticipatory Bail Application no. 1203 of 2020 was disposed of on the written instructions of these very applicants. The present application for anticipatory bail was filed on 12-10-2023, even when the second application, namely, ABA/ 1203 / 2020 was still pending and was yet to be disposed of.

6. This *ex facie* demonstrates the mischief being played by the applicants. Though the earlier application for anticipatory bail was pending, they filed the present one through a different advocate and thereafter that ABA / 1203 / 2020 was withdrawn, that too, without disclosing the fact that the third application i.e. the present one was filed, may be erroneously or otherwise. Had there been some *bona fides* on the part of the applicants, who must have been aware which advocates they were engaging and which applications they have been filing, it was expected that while withdrawing ABA / 1203 / 2020, they would have made the disclosure. Without disclosing anything about filing of the present application, the applicants simply sought to withdraw ABA / 1203 / 2020 and it was disposed of on 31-10-2023.

7. This is precisely, in my considered view, is demonstrative of the mischievous conduct of the applicants even when they have been able to avoid the arrest since the day the offence was registered in the year 2019 and are still applications after applications, seeking anticipatory bail.

8. The afore-mentioned aspects would clearly demonstrate that the applicants are hail bent to abuse the process of law. Their conduct is deprecated.

9. The application is rejected with costs of Rs.25,000/- (Rs. Twenty Five Thousand). The applicants shall deposit it within two weeks, failing which the amount shall be recovered as the arrears of land revenue.

[MANGESH S. PATIL]
JUDGE

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