

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

ANTICIPATORY BAIL APPLICATION NO.1168 OF 2023

Sumedh @ Sonu@ Subhash ...Applicant

Versus

The State of Maharashtra ...Respondent

...

Mr. Rohan Barge for the Applicant.

Mr. S.H. Yadav, APP for Respondent-State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th APRIL, 2023.

P. C. :-

1. This is an application under Section 438 of the Cr.PC. filed by the aforesaid Applicant apprehending his arrest in C.R. No.620 of 2021 registered with Fouzdar Chavdi Police Station, Solapur, for the offences punishable under Sections 307, 323 and 504 r/w 34 of the IPC.

2. Heard Mr. Rohan Barge, learned counsel for the Applicant and Mr. S.H. Yadav, learned APP for the Respondent-State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The records reveal that the Applicant had filed Anticipatory Bail Application No.2831 of 2021 wherein by order dated 29/11/2021 this Court (Coram: V.G. Bisht, J) had granted him interim protection. Subsequently, by order dated 20/09/2022 this Court (Coram: Nitin W. Sambre, J.) had allowed the Applicant to withdraw the application. Said application was withdrawn simplicitor without any liberty to file fresh application. Present application is filed in April-2023 after change in roster.

4. The practice of withdrawing the application simplicitor and filing fresh application after change of roster without there being any change in fact situation, is nothing but an attempt of forum shopping, which is not conducive to judicial discipline.

5. Under the circumstances, no case is made out to entertain the successive bail application. Hence, the Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)