

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.175 OF 2023

Ramesh O. Jain ...Applicant
vs.
The State of Maharashtra and Anr. ...Respondents

Mr. Ankit Pandey a/w. Mr. Sanket Salgaonkar, for the Applicant
Mr. S.H. Yadav, APP, for the Respondent/State.
Mr. Kedari, PSI, RCF police station.

CORAM : N. J. JAMADAR, J.
DATE : NOVEMBER 29, 2023

P.C.:

1. Heard the learned counsel for the applicant.
2. This is an application for cancellation of pre-arrest bail granted by the Court of Session by an order dated 27th June, 2023 in connection with C.R. No. 218 of 2023 registered with RCF police station in ABA No. 1282 of 2023.
3. The learned counsel for the applicant submitted that the observations of the learned Additional Session Judge in paragraph 7 of the aforesaid order have propensity to affect the rights of the applicant in the civil proceeding.
4. It is trite that the observations made while deciding the bail application are prima facie and do not bind the Court while adjudicating the guilt of the accused at the time of conclusion of the trial. Nonetheless, to allay the apprehension on the part of the

applicant, it is clarified that the Court shall not be influenced by the observations contained in paragraph 7 of the order sought to be impugned while deciding the rights and obligations of the parties.

5. With the aforesaid clarifications, the application stands disposed of.

(N. J. JAMADAR, J.)