



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

CRIMINAL APPLICATION NO. 1064 OF 2023

MAHENDRA PAVANKUMAR SINGH ..APPLICANT

VS.

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Vinod S. Chate a/w Adv. Kalpana v. Chate i/b Chate
and Associates for the Applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 06, 2023

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for setting aside the impugned
order dated 20/04/2023 passed by the learned Additional
District Consumer Dispute Redressal Commission, Kokan
Bhawan, Belapur, Navi Mumbai and for enlarging the
applicant on bail.

3. During the course of the execution proceeding before
the District Consumer Forum, the applicant could not
appear. In the Darkhast proceedings, the applicant is

shown as accused No.2 whereas his wife was shown as accused No.6. There were some offences punishable under the Indian Penal Code pending against the applicant. By order dated 03/01/2023, this Court in Bail Application No. 3428 of 2022 enlarged the applicant on bail. Thereafter, the Sessions Court in Bail Application No. 212 of 2023 by order dated 21/03/2023 enlarged the applicant on bail. By order passed in the Darkhast Proceeding the execution Court was of the opinion that the applicant has not complied with the order and, therefore, the application for bail made before the District Consumer Forum was rejected. Learned counsel for the applicant submitted that the applicant was not able to comply with the order passed as he was in custody for another IPC offence. In the facts and circumstances of the present case, the applicant can be enlarged on bail in Darkhast No. 32 of 2018. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The impugned order dated 20/04/2023 passed in Darkhast No. 32 of 2018 is set aside.

(c) The applicant- Mahendra Pavankumar Singh shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount.

(d) The applicant is directed to remain present on every date in Darkhast No. 32 of 2018 before the District Consumer Dispute Redressal Commission, Kokan Bhawan, Navi Mumbai and if he fails to do so, the bail granted shall stand cancelled.

4. The application is disposed of in the above terms.

(M. S. KARNIK, J.)