

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

CRIMINAL APPLICATION NO.456 OF 2019

Girish Ratilal Dhruv

...Applicant

Versus

Jayesh Sakharam Kashte and Anr.

...Respondents

...

Ms Prajakta Jagtap i/b. Mr. Pradeep Havnur for the Applicant.

Ms Gayatri Nayak i/b. Mr. Rajesh Khobragade for Respondent No.1.

Ms A.A. Takalkar, APP for Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 11th AUGUST, 2023.

P.C.:-

1. The Applicant herein seeks cancellation of bail granted to Respondent No.1 by learned Additional Sessions Judge, Greater Mumbai, vide order dated 23/10/2019.

2. Learned counsel for the Applicant states that previous two bail applications filed by the Applicant were rejected and it was only on filing of third application, the learned Sessions Judge has granted bail.

3. A perusal of the order reveals that the bail has been granted on the ground of parity. Subsequent to rejection of the previous two

applications, the co-accused, against whom similar accusations were made, was granted bail. Hence, relying upon the decision of the High Court(Bengaluru) in ***Mr. Doddaiah Vs. State of Karnataka in Criminal Petition No.7258 of 2019***, the learned Additional Sessions Judge granted bail on the ground of parity. There is no inherent illegality in the order. It is stated that charge-sheet has been filed. Respondent No.1 has been appearing before the Sessions Court. He has not breached any of the terms and conditions of the order. It is stated that Respondent No.1 has filed discharge application before the Trial Court and the same is pending.

4. In such circumstances, no case is made out for cancellation of bail. Hence, the application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)