

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL WRIT PETITION NO. 170/2023**

(Hemant Sikander Jham & anr Vs. Kashinath Bhaumik & ors.)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Mr. A. A. Naik, Advocate h/f Mr. A. D. Bhate, Advocate for  
petitioners.  
Mr. N. R. Rode, Advocate for respondent No. 202/State.

**CORAM: VINAY JOSHI AND**  
**BHARAT P. DESHPANDE, JJ.**

**DATED : 06/03/2023.**

Heard.

2. The petitioners are facing total 201 applications filed by the different consumers in terms of Section 27 of the Consumer Protection Act on account of petitioner's failure to comply the separate order passed by the District Forum. It is only petitioner's urge that they have applied for bail in the proceeding filed under Section 27 of the Consumer Protection Act, however, the District Consumer Forum has not passed the orders and therefore, seeks directions to that effect.

3. It has been submitted that 172 applications are pending before the District Consumer forum. In one set of application, the petitioners have applied for bail in group of application (total 172) pending before the District Consumer Forum. In the month of June 2022, in which replies have been filed, however, bail applications were not decided yet. In another set of application (total 29)

pending before the Additional District Consumer Forum, similarly, bail applications were filed in the month of June 2022, however till date, the say of other side was even not called and resultantly those bail applications are also pending.

4. The fact emerges that bail applications are pending for more than eight months which itself appears to be some what strange. The Judicial Authority is under obligation to decide the bail application expeditiously as it pertains to rights of life and personal liberty. Obviously, it is matter of judicial discretion to be exercised by the authority while deciding the bail.

5. Having regard to the limited prayer, we hereby directed the concerned authorities to decide all bail applications in accordance with law within four weeks from today.

6. Petitioners are at liberty to approach this Court in case of non-compliance.

7. Petition stands disposed in above terms.

8. The petitioners to produce authenticated copy of this order to the concerned Magistrate.

(BHARAT P. DESHPANDE, J.)

(VINAY JOSHI, J.)

*Gohane*

Digitally  
signed by  
JITENDRA  
BHARAT  
GOHANE  
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