

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 45 of 2022

Mili @ Shraddha Ravishankar Sisodiya ... Applicant  
Versus  
State of Maharashtra and Anr. ... Respondent

.....  
Mr. Sushil M. Shukla a/w Janki J. Sampat i/b Ajit V. Mandlik, for  
the Applicant.

Ms. Anamika Malhotra, APP, for the Respondent-State.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 30<sup>th</sup> APRIL, 2024.

P.C.

Yesterday the following order was passed;

*“1. Not on Board. Upon mentioning, taken on Board.*

*2. Registry is directed to issue notice to the concerned Addl. Sessions Judge as to why he is not following an order passed by this Court on 24<sup>th</sup> April, 2024 and call for his explanation so as to reach this Court by 2.30 p.m. today.”*

2 Learned Additional Sessions Judge, Thane, has tendered his explanation, which reads thus;

*“ With reference to the subject noted above, I have the honour to state that Wirt/Order dated 24<sup>th</sup> April, 2024 passed by the Hon’ble High Court in*

REKHA  
PRAKASH  
PATIL

Digitally signed by  
REKHA PRAKASH  
PATIL  
Date: 2024.04.30  
18:23:44 +0530

Rekha Patil

*Criminal Bail Application No. 45 of 2022 is not yet received by this Court. Similarly, no Advocate appeared and submit the order. Hence, the above subject order is not followed by this Court. Therefore, this Court has no disobey to followed the directions of Hon'ble his Lordship.*

*Hence, this explanation for your honours kind perusal and information.”*

3 Prima facie, it appears that Advocate Mr. Sushil Shukla made an incorrect and misleading statement before this Court that the trial Court is not following the order of bail passed by this Court. Subsequently, on the same day in the afternoon the following order was passed;

*“1. Registrar (Judicial-I) informs that the order of this Court dated 24<sup>th</sup> April, 2024 has not been placed before the Additional Sessions Judge, as tried to be put forth before this Court by Adv. Sushil Shukla.*

*2. It appears that Adv. Sushil Shukla perhaps made an incorrect statement.*

*3. List tomorrow i.e. on 30<sup>th</sup> April, 2024. First on Board.*

*4. Adv. Sushil Shukla shall remain present.”*

4 Today, Advocate Mr. Sushil Shukla informs that the trial Court Advocate Mr. B. D. Hatkar informed him about the statement which he made before this Court yesterday.

5 It is apparent from the explanation of Additional Sessions Judge that no Advocate appeared and submitted the order of bail passed by this Court.

6 Issue notice to Advocate Mr. B.D. Hatkar as to why action should not be initiated against him for misleading the Court, returnable on **10<sup>th</sup> May, 2024**.

7 Advocate Mr. Sushil Shukla shall be careful in future before making any such statement across the Bar.

8 List on **10<sup>th</sup> May, 2024**.

**[PRITHVIRAJ K. CHAVAN, J.]**