

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2598 OF 2024

Divyesh @ Vicky Lalitkumar Ganatra ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Aabad Ponda, Senior Counsel a/w Shantanu Phanse, Gunjan Mangla,
Priyanka H. Chavan, Ilsa Shaikh, Advocate for the Applicant.

Smt. Rajeshree Newton, APP for the Respondent – State.

Mr. Raju Suryawanshi for the Intervenor.

CORAM : N.J. JAMADAR, J.
DATE : 31st JULY 2024.

PC.:

1. Heard learned counsel for the parties.
2. This application is placed before this Court as this Court had passed an order on 2nd May 2024 permitting the Applicant to withdraw the application. For ease of reference, order dated 2nd May 2024 is extracted below:

- “1. Heard the learned counsel for the applicant.
2. The learned counsel for the applicant seeks leave to withdraw the application with liberty to file a fresh application before the Court of Session as in the intervening period chargesheet has been lodged.
3. Leave granted.
4. Application stands dismissed as withdrawn.
5. It is clarified that this Court has not entered into the merits of the matter.
6. In view of the disposal of the Bail Application, the Interim Application also stands disposed.”

3. As is evident, the Application was permitted to be withdrawn as, at that stage, leave was sought on behalf of the Applicant to file a fresh application before the Court of Session as, in the intervening period, charge sheet had been lodged.
4. In paragraph 5, this Court had clarified that this Court had not entered into the merits of the matter
5. In the aforesaid facts, this Court is of the considered view that the application ought to be placed before the Regular Court.
6. Registrar (Judicial-I) is requested to obtain appropriate orders on the Administrative Side.
7. Liberty to mention.

(N. J. JAMADAR, J.)