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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2356 OF 2024

1. Dipali Gokul Dange
Aged- 30 years, Occ: Nil,
Residing at - Aadagaon
Kokalgaon, Washim

2. Dipak Keshav Hazare
Age- 53 years, Occ: Farmer,
Residing at - Aadagaon
Kokalgaon, Washim

... Applicants

v/s.

The State of Maharashtra
Through Rabale Police Station
in CR No.187 of 2024

... Respondent

....

Mr Shailesh Kharat, for the Applicant.

Ms Supriya Kak, APP, for Respondent State.

API Sanjay Galve, Rabale Police Station, Navi Mumbai, is present.

....

Coram : R.N. Laddha, J.

Date : 22 August 2024

P.C. :

. Heard the learned Counsel for the applicants and the
learned APP, representing the respondent/State.

2. The learned Counsel for the applicants informs the Court

that their Anticipatory Bail Application (No.497 of 2024) has been pending before the learned Additional Sessions Judge, Belapur, since 22 July 2024, without a decision. As the Sessions Judge did not grant interim protection from arrest, the applicants were constrained to approach the High Court. It is submitted that the learned Additional Sessions Judge has heard the arguments on the anticipatory bail application twice but not issued any order. It is unquestionable that a party cannot seek relief from two forums with concurrent jurisdiction for the same matter simultaneously. Given this perspective, it would be prudent to dispose of this application by extending the protection for a reasonable duration so as to take care of a contingency of anticipatory bail application being decided against the applicants.

ORDER

The application stands disposed of in the following terms. :

- (A) The interim protection from arrest is granted to the applicants for a period of one week from today. Meanwhile, the Sessions Court shall decide the applicants' anticipatory bail application on its own merits and in accordance with the law.

(R.N. Laddha, J.)