

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

Anticipatory Bail Application No.2841 of 2024

Kunjalben Umesh Patel

Age : 42 years, Occ: housewife,
2424/420, Vivekanand Nagar,
Chandkheda, Ahmedabad,
Gujrat-382424

..... Applicant.

Vs.

The State of Maharashtra
(at the instance of Turbhe
police station)

..... Respondent.

Mr Heanike Vyas, Advocate i/by Anjali A Nimbkar for the
applicant.

Mr Arfan Sait, APP for Respondent/State.
API Ajay Shinde, EOW-2, Navi Mumbai.

**Coram : R.N.Laddha, J.
Date : 16 October 2024.**

P.C. :

Heard Mr Heanike Vyas, the learned Counsel appearing on
behalf of the applicant, Mr Arfan Sait, the learned Additional
Public Prosecutor, representing respondent /State.

2. The applicant is seeking limited relief of protection till his
Criminal Bail Application No.608 of 2024 filed on 17 August
2024, is decided by the learned Additional Sessions Court, CBD

Belapur. The learned Counsel for the applicant submits that since the Additional Sessions Judge did not grant ad-interim protection from arrest, the applicant was constrained to prefer this application before the High Court. The learned Sessions Judge posted the matter on 18 October 2024 for hearing.

3. On perusal of the records, it is evident that the applicant has moved the learned Sessions Court for pre-arrest bail vide Criminal Bail Application No.608 of 2024, which is pending awaiting decision.

4. It is indubitable that a party cannot seek identical relief from two forums with concurrent jurisdiction. The learned Additional Sessions Judge has scheduled the hearing for 18 October 2024 and the matter has been repeatedly adjourned. In these circumstances, it would be expedient to dispose of this application by providing protection to the applicant for a limited period to address the contingency of the anticipatory bail application being decided by the Sessions Court. Hence the following order.

ORDER

The application stands disposed of by granting the protection to the applicant from arrest in this crime till 18 October 2024.

5. It is made clear that this Court has not examined the merits

of the matter and the learned Sessions Judge shall decide the anticipatory bail application pending before him on its own merits and in accordance with law.

6. The parties to act on authenticated copy of this order.

[R. N. Laddha,J.]