

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3195 OF 2024**

Shubhada Uday Joshi and another	...	Applicants
vs.		
The State of Maharashtra	...	Respondent

Mr. Samir Vaidya for applicant.

Mr. Balraj B. Kulkarni, APP for respondent-State.

Mr. Pandurang M. Waghmare, API, Vishrambaug Police Station, District Pune City.

CORAM : MANISH PITALE, J.

DATE : 02nd DECEMBER, 2024

P.C. :

1. When this application was called out for hearing, at the outset, the learned APP submits that anticipatory bail application of these very applicants is pending before the Sessions Court, in the context of the subject FIR.

2. The learned counsel appearing for the applicants submits that the applicants are constrained to approach this Court in such a situation, for the reason that the Sessions Court has kept the anticipatory bail application of the applicants pending since 05.08.2024, without any order for protection from arrest or any interim order and now, the application is listed for further consideration on 07.12.2024.

3. It is submitted that on a proper interpretation of relevant provisions of law, particularly Section 438 of the Code of Criminal Procedure, 1973, interim relief is a mandate of law in such circumstances.

4. Since today is 02.12.2024 and the Sessions Court has kept the anticipatory bail application of the applicants on 07.12.2024, the Sessions Court is directed to finally decide and dispose of the said pending anticipatory bail application of the applicants on or before 07.12.2024, without fail.

5. List this application for further consideration on 10.12.2024, to be included in the supplementary list.

(MANISH PITALE, J)

Priya Kambli