



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 CRIMINAL APPLICATION NO. 1111 OF 2025

**VILAS SHANKARRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for the Applicant: Mr. Syed G R
APP for Respondent/State : Mr.K.K.Naik

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CORAM : SHAILESH P BRAHME, J.
DATE : 27th MARCH 2025

PER COURT :

- . Heard both sides.
2. I propose to decide this application finally.
3. Applicant is aggrieved by order of cancellation of his pre-arrest bail passed on 13.3.2025 by learned Additional Sessions Judge, Dhule in Criminal Miscellaneous Application No. 66 of 2024 for lapses on part of the applicant for not adhering to the condition of reporting the concerned police station on sunday.
4. Learned counsel Mr.Syed appearing for the applicant submits that due to sheer inadvertence and lack of communication, applicant could not attend the police station. No sooner than applicant learnt about the condition, he started attending the police station. From 07.04.2024 applicant attended the police station on couple of dates.

Thereafter on 18.09.2024, charge-sheet is filed. It is further submitted that intention of the applicant is not to flout the orders. It is further submitted that applicant undertakes to co-operate the trial court for expeditious disposal of the criminal case.

5. *Per contra* learned APP would support impugned order and he would vehemently submits that it is only when Criminal Miscellaneous Application No. 66 of 2024 was filed on 06.04.2024, the applicant thereafter attended on few days. The reasons assigned by the applicant are totally unbelievable. Learned Judge has rightly dealt with the matter and passed plausible and reasonable order. It is further submitted that in between 06.07.2024 to 18.09.2024, the applicant did not turn up. The lapses are on part of the applicant and therefore is not entitled for any discretionary relief.

6. I have considered order passed on 18.01.2024 granting pre-arrest bail to the applicant. He was accepted to report police station on every sunday which is not done. On 06.04.2024, the respondents filed application seeking cancellation of bail due to non-compliance of the conditions. It reveals from the record on few occasions like 07.04.2024,17.04.2024,21.04.2024,12.05.2024 and 06.07.2024, he attended the police station. The record shows that there are lapses on the part of the applicant.

7. The charge-sheet is filed on 18.09.2024.The matter has been committed to the Sessions Court and it is for the appearance of the applicant. There is no point in cancelling the order dated 18.01.2024.

By imposing certain conditions, the order can be restored. A possibility can not be ruled out that the investigating officer for want of attendance of the applicant might not have collected information or conducted investigation. If that is the case then there is possibility of the investigating officer praying for further investigation. If such occasion arises the applicant shall co-operate with the investigating officer. I find that the impugned order is unsustainable. I therefore pass following order :

ORDER

- a) Criminal Application is allowed partly.
- b) Impugned order dated 13.03.2025 passed by Learned Additional Sessions Judge, Dhule in Criminal Miscellaneous Application No. 66 of 2024 is quashed and set-aside and the order dated 18.01.2024 is restored. However as the charge-sheet is filed, there is no need for the applicant to attend the police station.
- c) Applicant shall co-operate the trial court for expeditious disposal of the case. Applicant shall pay cost of Rs.10000/- (Rupees Ten Thousand Only) by depositing it to the High court Bar Association, Aurangabad and the same shall be utilized for the day-care center.

[SHAILESH P. BRAHME, J]

vsj..