



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.290 OF 2024

The State of Maharashtra
Vs.
Sudarshan Shivaji Babar

... Applicant.
... Respondent.

Mr. A. A. Palkar APP for the Applicant/State.
Mr. Pratik G. Tare, Advocate for the Respondent.

CORAM : ASHWIN D.BHOBE, J.

DATE : 3rd JULY, 2025.

P.C. :

1. This matter was heard for some time.
2. Mr. A. A. Palkar, learned APP for the Applicant-State submits that the impugned order has been passed dehors the provisions of Section 21(4) of the Maharashtra Control of Organized Crime Act, 1999 (MCOC Act). He submits that the Respondent was involved in a prior case in which the Respondent was charged under the provisions of MCOC Act. He submits that the Respondent was on bail in the said MCOC Act crime, as such, the Respondent was not entitled to bail in the present case.
3. Per contra, Mr. Pratik Tare, learned advocate for the Respondent submits that the bar under Section 21(4)(5) of the MCOC

Act would not be attracted, in view of the observation/finding of the Special Judge in the order granting bail wherein, it is observed that the offence of MCOC Act against the Respondent was doubtful in the said case. Learned advocate for the Respondent seeks time till 17th July, 2025 to place reliance on judgments in support of his contention.

4. At the request of Mr. Pratik Tare, learned advocate for the Respondent and by consent of the parties, list the matter on **17th July, 2025**.

[ASHWIN D.BHOBE, J.]