

HARSHADA H. SAWANT  
(P.A.)

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

**BAIL APPLICATION NO.2716 OF 2024**

|                        |               |
|------------------------|---------------|
| Hemant Parasmal Sethia | .. Applicant  |
| <b>Versus</b>          |               |
| State of Maharashtra   | .. Respondent |

**WITH**  
**BAIL APPLICATION NO.2894 OF 2024**

|                       |               |
|-----------------------|---------------|
| Vikas Champaklal Jain | .. Applicant  |
| <b>Versus</b>         |               |
| State of Maharashtra  | .. Respondent |

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- Ms. Mallika Sharma a/w. Zehra Charania, Advocates for Applicant in Bail Application No.2716 of 2024.
- Mr. Dilip Mishra a/w. Zehra Zharania, Advocates for Applicant in Bail Application No.2894 of 2024.
- Ms. Megha S. Bajoria, APP for Respondent - State of Maharashtra.
- Mr. Santosh Ghadge, Anti Narcotics Cell, Mira Bhyander, Vasai – Virar.

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**CORAM : MILIND N. JADHAV, J.**

**DATE : JANUARY 21, 2025**

**P.C.:**

- 1.** Heard Ms. Sharma, learned Advocate for Applicant in Bail Application No.2716 of 2024; Mr. Mishra, learned Advocate for Applicant in Bail Application No.2894 of 2024 and Ms. Bajoria, learned APP for Respondent – State of Maharashtra.
- 2.** Bail Application No.2716 of 2024 has been placed before me on the ground of medical urgency. After the issue of medical

emergency has been seen by the Court after calling for the report, Ms. Sharma, learned Advocate is now attempting to argue the Application on merits. This *modus operandi* is used by many Advocates in this bar in this roster by filing praecipes before the Court stating that there is a medical urgency and when the matters are called out before me instead of arguing for medical bail matters are attempted to be argued on merits.

**3.** In this fashion, Advocates are getting out of turn hearing for bail applications. This is not the manner in which matters are to be mentioned and praecipes are to be filed. All Advocates are directed to take a note of this.

**4.** The present case before me is one such case. After pointing out the report dated 17.12.2024 wherein the Applicant - Hemant Parasmal Sethia has been critically examined by the JJ Group of Hospital's Cardio Department and specifically advised to take admission in the Cardio Department, he is not willing to get himself admitted in the hospital and take cardiac intervention treatment as advised by the said doctor of JJ Group of Hospital. If such is the case, I cannot allow the Ms. Sharma, learned Advocate for Applicant to argue on merits and steal a march over other bail Applications on the ground of medical ailment.

**5.** Registry is directed to list this Bail Application according to its turn.

H. H. SAWANT

[ MILIND N. JADHAV, J. ]

HARSHADA  
HANUMANT  
SAWANT

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by HARSHADA  
HANUMANT  
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