

Nikita

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

BAIL APPLICATION NO.4348 OF 2024

Gaurav Chandrabhan Khalde ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Ashok Mundargi, Senior Advocate a/w Chetan Alai
a/w Akshay Patni a/w Rama Somani i/b Chetan Arvind
Alai for the Applicant.

Ms. Veera Shinde, APP for the State.

Mr. Aabad Ponda, Senior Advocate i/b Mr. Samay
Pawar for the intervener.

CORAM : ASHWIN D. BHOBE, J.

DATED : 28th JULY, 2025

P.C.:

1. Today, this matter was substantially argued by the learned Senior Advocate Mr. Ashok Mundargi and Ms. Veera Shinde, learned APP for the State.

2. Mr. Aabad Ponda, learned Senior Advocate for the Intervener points out that the State has sought for cancellation of the Bail granted to Accused No.8 in the present crime, which is scheduled to be listed on 22.08.2025. He submits that one of the ground on which the Applicant is seeking bail is the ground of parity by relying on the bail granted to Accused No.8. In such circumstances, he submits that it would be appropriate to await the decision on

the said Application for cancellation of bail, filed by the State.

3. Ms. Veera Shinde, learned APP for the State supports the contention of Mr. Aabad Ponda, learned Senior Advocate for the Intervener.

4. Mr. Ashok Mundargi, learned Senior Advocate for the Applicant, submits that Accused No.8 was granted bail on 04.04.2024, which order is in force for more than a year. He submits that upon the said order dated 04.04.2024, the intervener had challenged the same before this Court, however the said application was withdrawn by the Intervener. He further points out that subsequent to the withdrawal of the application before this Court, the Intervener had filed an application seeking cancellation of bail before the learned Trial Court, which was also withdrawn by the Intervener. He submits that the Intervener having failed in their attempt to get the bail granted to the Accused No.8, cancelled cannot now re agitate the same. At any rate, he submits that the approach of the Intervener raising such objections, to delay the disposal of Applicant's bail application, is not a fair approach and the same should not be countenanced

5. Be that as it may, considering the fact that the Applicant is seeking parity by relying on the bail granted to Accused No.8, it would be appropriate to consider the application for cancellation of bail filed by the Respondent State, along with the present application as requested by the Intervener and the State.

6. Mr. Veera Shinde, learned APP for the State submits that the Application for cancellation be preponed. Mr. Aabad Ponda,

supports the said request of Ms. Veera Shinde.

7. Mr. Veera Shinde submits that the preponement notice will be given to the Advocate appearing for the Respondent (Accused No.8) in the said application. At the request of Ms. Veera Shinde, learned APP for the State, the Criminal Application No.405 of 2024 is fixed on 31.07.2025 at 11.00 am.

8. Ms. Veera Shinde, learned APP for the State assures the Court to notify the Advocate appearing for the Respondent in the said application.

9. At the request of Mr. Aabad Ponda, learned Senior Advocate for the intervener and Ms. Veera Shinde, learned APP for the State, further arguments in the present application are differed.

10. Criminal Application No.405 of 2024 is listed on 31st July, 2025, list the matter along with that matter on **31st July, 2025.**

(ASHWIN D. BHOBE. J.)