

Ajay

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

CRIMINAL BAIL APPLICATION NO. 667 OF 2025

Vijay Rajendra Shirke	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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- Ms. Priti R. Mahajan a/w. Mr. Santosh Patil, Advocates for Applicant.
 - Ms. Megha S. Bajoria, APP for Respondent – State.

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CORAM : MILIND N. JADHAV, J.
DATE : MARCH 06, 2025.

P.C.:

- 1.** Heard Ms. Mahajan, learned Advocate for Applicant and Ms. Bajoria, learned APP for Respondent – State.
- 2.** Learned Advocate for Applicant informs the Court that the family members of the Applicant have discussed with each other and on instructions would submit that it will be not possible for them to pay the escort charges for considering interim bail of the Applicant. However, she would persuade the Court to hear the Application of the Applicant as early as possible considering his 45 days period of incarceration.
- 3.** She would persuade the Court to consider the fact that Applicant was the Developer of the building and the Occupation Certificate (OC) / Completion Certificate of the said building was

obtained by him and therefore once the CC was obtained, it was the duty of the Municipal Corporation to ensure that the particular building was constructed according to the sanctioned plan. She would submit that no doubt an unfortunate fatal accident took place, but the Applicant cannot be held responsible for that accident. In the given facts, she would persuade the Court to consider Applicant's case on priority.

4. I have heard the learned Advocate of Applicant and perused the copy of Completion Certificate of the concerned building where the accident had taken place.

5. On the next adjourned date, Advocate for Applicant shall inform the Court about the number of flats in the said building, number of flats which were allotted to the purchasers who are staying in the said building on Affidavit. Learned Advocate for Applicant is directed to give a copy of the CC to the learned Prosecutor for consideration.

6. Let the Affidavit be filed within a period of one week from today. Copy of the same shall be served on Ms. Bajoria, learned APP on or before the next adjourned date.

7. Stand over to **08th April, 2025**. To be placed on the 'Supplementary Board'.

Digitally signed
by AJAY
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Date:
2025.03.06
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[MILIND N. JADHAV, J.]