

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 134 OF 2025

Nutan Dilip Shinolikar

...Applicant

Versus

The State of Maharashtra

...Respondent

WITH
INTERIM APPLICATION NO. 383 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO. 134 OF 2025

- Mr. A.P. Mundargi, learned Senior Counsel a/w Mr. Nakul Vivek Shukla and Ms. Sunitha Perumal i/b Ms. Sunitha Perumal for Applicant.
- Dr. Ashwini A. Takalkar, APP for Respondent.
- Mr. Siddharth Karpe, for Intervener/Applicant in IA/383/2025.
- Mr. Vishwas A. Bhabad, API, Bharti Vidyapith Police Station.

CORAM : MANISH PITALE, J.

DATE : 30th JANUARY, 2025.

P. C. :

1. Heard learned senior counsel appearing for the applicant, the learned APP for the respondent – State and the learned counsel having instructions to appear for the first informant.

2. When this application is called out for consideration, the learned APP as well as the learned counsel appearing for the first informant pointed out that this is the second anticipatory bail application filed by the applicant before this Court and effectively the third such application because the applicant had also filed a proceeding before the Division Bench of this Court

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for quashing of the FIR under Section 482 of the Cr.PC. It is submitted that the aforesaid application was withdrawn unconditionally before the Division Bench on 09th September, 2024.

3. This Court has perused the record, which shows that the earlier anticipatory bail application of the applicant, bearing Anticipatory Bail Application No.1690 of 2024, was dismissed by this Court on 27th June, 2024. Thereafter, the applicant filed the aforementioned application before the Division Bench of this Court for quashing of the FIR, bearing Criminal Application bearing No.176 of 2024. It was brought to the notice of the Division Bench that the applicant was absconding even after rejection of her anticipatory bail application on 27th June, 2024, by this Court and in that light the applicant withdrew her application before the Division Bench unconditionally on 09th September, 2024.

4. Thereafter, the applicant filed another anticipatory bail application before the Sessions Court, suppressing the fact that her anticipatory bail application was dismissed by the said order dated 27th June, 2024. Eventually, the same was brought to the notice of the Sessions Court and by order dated 24th October, 2024, the Sessions Court once again dismissed the anticipatory bail application of the applicant.

5. It is in this backdrop that the present application has been filed.

6. The Supreme Court in the case of G.R. Ananda Babu Vs. The State of Tamil Nadu & Anr. (order dated 28th January, 2021, passed in Criminal Appeal arising out of SLP (Cri.) No.213 of 2021) has observed that successive anticipatory bail applications ought not to be entertained, particularly when the applicant – accused remains absconding and has not cooperated with the investigation. It is specifically observed that the specious reason of change in circumstances cannot be invoked for filing successive anticipatory bail application.

7. In view of the aforesaid position of law and the admitted conduct of the applicant noted hereinabove, the present application is dismissed.

8. The interim application is disposed of.

(MANISH PITALE, J.)