

Sneha Bang

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XYZ ...Applicant  
**Versus**  
The State of Maharashtra ...Respondent  
**WITH**  
CRIMINAL INTERIM APPLICATION NO. 107 OF 2024  
**IN**  
CRIMINAL BAIL APPLICATION NO. 2391 OF 2023  
Sanjoy Shivdas Mukherjee ...Applicant  
**Versus**  
The State of Maharashtra ...Respondent

Mr. M. K. Guha, for the Applicant.  
Mr. Himanshu Patil a/w. Pooja Sursure, for Respondent No.2 in  
IA/107/2024 & for Applicant in IA/745/2025.  
Mr. S. V. Walve, APP, for the Respondent-State.  
Mr. D. P. Mane, PSI, Kasturba Marg Police Station is present.

**CORAM: R. M. JOSHI, J.**

**DATED: 30<sup>th</sup> APRIL, 2026**

**PC:-**

1. This application is moved by the victim for cancellation of bail granted by this Court by order dated 6th October, 2023, whereby the following condition was imposed against the Applicant, which reads thus:

*“The Applicant shall not act as a Counsellor till further order of the Trial Court.”*

2. Learned Counsel for the Applicant submits that, without seeking any order from the Trial Court, the Applicant has

entertained clients and gave advice/counselling through video conferencing. According to him, this amounts to breach of the condition of bail and the bail deserves to be cancelled.

3. This application is opposed by the Counsel for the Respondent–Original Accused, contending that no breach, much less an intentional violation of any order, has been committed by the Accused. It is his submission that the said condition was imposed in the context of the offence charged against the Accused and it was expected that no personal sessions are taken by the respondent herein.

4. This Court finds substance in the contention of the Counsel for the Accused that, in all probability, in the context of the allegations against the Applicant, he was prevented from acting as a counsellor till further orders of the Trial Court. Firstly, it is not a blanket order whereby he is completely barred from conducting his profession, is open for the Accused to seek appropriate orders from the Trial Court. In light of this fact, it cannot be said that any deliberate or wilful breach of the condition and therefore any case being made out so as to cancel the bail. Needless to say, the Courts are required to be very slow in cancellation of bail unless *malafides* are shown or there is a clear and wilful breach of the conditions of bail. In the facts of the case this Court finds no substance in the Application.

5. Criminal Interim Application No. 745 of 2025 stands dismissed.

(R. M. JOSHI, J.)