



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APL) NO. 1405 OF 2024

APPLICANT:

Pawan s/o Raju Kaithwas,
Aged 20 years, Occu: Labsour,
R/o Mahadeo Khor, Near Alaspure
Kirana Shop, Amravati..

...V E R S U S...

RESPONDENT

State of Maharashtra,
through Police Station Officer,
Police Station Frezarpura,
District Amravati.

Mr. R.M. Daga, counsel for applicant.

Mr. A.M. Ghogre, APP for respondent/State.

CORAM : PRAVIN S. PATIL, J.

DATE : 21/01/2026

ORAL JUDGMENT :

1. Heard. **Rule.** Rule made returnable forthwith. By consent of Mr. R.M. Daga, learned counsel for the applicant and Mr. A.M. Ghogre, learned APP for respondent/State, the application is taken up for final hearing at the stage of admission.

2. By way of present application, the applicant challenges the order dated 3/9/2024 passed by the learned District Judge-1 and Additional Sessions Judge, Amravati, in Sessions Trial No. 306 of 2021, whereby learned Sessions Judge cancelled the bail

granted to the present applicant vide order dated 16/12/2021, the present application is filed before this Court.

3. It is pointed out by the present applicant that, in the pending criminal trial, the charge-sheet has already been filed and the trial is already going on. It is further submitted that only the investigating officer remains to be examined before the trial Court.

4. In these circumstances, the applicant has prayed that if the interim protection granted by this Court vide order dated 27/09/2024 is continued during the pendency of the criminal trial, the present application may be disposed of.

5. Learned APP has strongly opposed this application. According to him, learned Sessions Judge, by recording the cogent reasons, has cancelled the bail of the applicant. As such, according to the learned APP, the applicant is not entitled to be enlarged on bail.

6. Considering the observations made by learned Sessions Court in the order dated 3/9/2024, and after hearing the arguments of both the sides, it is an admitted fact that, the applicant was earlier granted bail by Session Court on 16/12/2021, and same was cancelled by the order dated 3/9/2024. Immediately thereafter, this Court, by order dated 27/9/2024, granted interim protection to the applicant during the pendency of the present application.

7. It is further pertinent to note that the trial which is going on is at the fag end, only the investigating officer remains to

be examined as a witness in this case. In these circumstances, I am of the opinion that continuation of the order dated 27/9/2024 by this Court will sub-serve the ends of justice in the matter. Hence, I proceed to pass the following order:-

ORDER

- a] The criminal application is **partly allowed**.
 - b] The order passed by the District Judge-1 and Additional Sessions Judge, Amravati vide order dated 03/9/2024 in Sessions Trial No. 306/2021 shall remain stayed till final disposal of the criminal trial.
8. Rule is made absolute in the aforesaid terms. No order as to costs.

(PRAVIN S. PATIL, J.)