

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 1975/2017

(Arising out of impugned final judgment and order dated 10-02-2017  
in CRLBA No. 188/2016 passed by the High Court of Bombay)

MANUBHAI HARGOVANDAS PATEL

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA &amp; ANR.

Respondent(s)

Date : 04-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. O.P. Bhadani, AOR

For Respondent(s) Mr. Abhishek Bharti, Adv.  
For Mr. Balaji Srinivasan, AOR

Mr. Amol Chitale, Adv.

Mr. Nishant Ramakantrao Katneshwarkar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Having heard the learned counsel for the parties and on perusal of the record of the case, we are not inclined to interfere with the impugned order granting bail to Respondent No.2. The special leave petition is, accordingly, dismissed.

Learned counsel for the petitioner, however, submitted that after the grant of bail, respondent No.2 has attempted to misuse the liberty granted by the High Court and has also at times misused the liberty so granted so as to influence the ongoing trial against him.

If that be so then we are of the opinion that the petitioner should make an application before the High Court, which has granted

bail to respondent No.2 and on establishing the grounds for cancellation of the bail, as alleged by the petitioner, the High Court would consider the application for cancellation of bail in accordance with law and would pass appropriate orders.

We have taken note of various case law cited by the learned counsel for the petitioner viz. (2004) 7 SCC 528 and (2017) 2 SCC 178. We only wish to say that facts of each case varies.

We also make it clear that the observations made by the High Court while granting bail should not influence the learned Sessions Judge while trying the sessions trial on merits.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)  
COURT MASTER

(RENU DIWAN)  
ASST. REGISTRAR