

Bombay High Court

Mahesh Rajaram Kadam vs State Of Maharashtra on 19 October, 2022

Bench: N. R. Borkar

39-BA-2218-2022.odt

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2218 OF 2022
Mahesh Rajaram Kadam ... Applicant
Versus
State of Maharashtra ... Respondent
WITH
CRIMINAL BAIL APPLICATION NO. 2226 OF 2022
Pratap Hanmanta Khot ... Applicant
Versus
State of Maharashtra ... Respondent
.....
Mr. Hrishikesh Mundargi instructed by Ms. Pravada Raut for the
Applicants.
Mr. A.R. Kapadnis, APP for the State.
.....
CORAM : N.R. BORKAR, J.

DATED : 19 OCTOBER 2022 P.C. :-

. The learned Counsel for the applicants submits that at the fag end of the trial, after final arguments were concluded the wife of the deceased moved an application under Section 311 of the Cr.P.C. The said application was allowed by the trial Court. However, this Court by order dated 31st January 2022 in Criminal Writ Petition No.6268 of 2021, was pleased to set aside the said order of the trial court and directed the trial Court to conclude the trial within three months and the said period is Kanchan P Dhuri 1 / 2 39-BA-2218-2022.odt already over. It is submitted that thereafter again a fresh application under Section 311 of Cr.P.C. was filed and it was withdrawn. It is submitted that again application is moved under Section 311 of the Cr.P.C. It is submitted that the intention behind moving these applications is to keep the applicants behind the bars and prolong the trial. Considering the facts and circumstances, the applicants are permitted to add the wife of the deceased as party respondent to the present applications. Necessary amendment to be carried out forthwith.

2. Issue notice to the newly added respondent, returnable on 9 th November 2022. In addition to the Court notice, private service is permitted.

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by KANCHAN
KANCHAN PRASHANT
PRASHANT DHURI

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DHURI

Date:

2022.10.19

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