

# Ganesh Suvalal Gandhi vs The State Of Maharashtra on 4 December, 2023

**Author: N. J. Jamadar**

**Bench: N. J. Jamadar**

2023:BHC-AS:35992

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3366 OF 2023

Ganesh Suvalal Gandhi  
vs.  
The State of Maharashtra

...Applica

...Respond

Mr. Rajesh More, for the Applicant  
Mr. S.H. Yadav, APP, for the Respondent/State.  
Mr. Rajendra Pansare, PSI, MIDC, Bhosari police station.

CORAM : N. J. JAMADAR, J.

DATE : DECEMBER 4, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No.591 of 2023 registered at Bhosari MIDC police station for the offences punishable under sections 328, 272, 273 and 188 read with 34 of Indian penal Code, 1860 and sections 26(2)(i), 26(2)(iv), 27(3)(d), 27(3)(e), 30(2)(a) and 59 of the Food Safety and Standards Act, 2006.
3. At the outset, the learned counsel for the applicant submitted that the application preferred by the applicant before the Court of Session is subjudice. However, on 28 th November, 2023 the Court of Session had not granted interim relief and the prosecution has sought time to file reply.

Vishal Parekar ...1 11-aba-3366-2023.doc

4. Since the application is pending before the Court of Session, it may be expedient to request the Court of Session to decide the application on its own merits and in accordance with law.
5. Let the application be decided by the Court of Session as expeditiously as possible.
6. In the meanwhile, the learned APP, on instructions of the investigating officer, who is present in Court, makes a statement that the applicant will not be arrested in C.R. No.591 of 2023 registered with Bhosari MIDC police station till the final disposal of the application, by the Court of Session.
7. The statement is accepted.

Application disposed.

(N. J. JAMADAR, J.)

Vishal Parekar

...2