

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 796/2002
(From the judgement and order dated 24/10/2001 in CRLA 3456/2001
of The HIGH COURT OF BOMBAY)

JAGDISH M. JOSHI

Petitioner (s)

VERSUS

STATE OF MAHARASHTRA Respondent (s)
(With Appln(s). for anticipatory bail and
exem.from filing c/c of the impugned Judg.& accepting English trans.)
Date : 11/03/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. Ra, Jethmalani, Sr. Adv.
Mr. Jaspal Singh, Sr. Adv.
M/s. Vipin Gogia, Mrs. Jaspreet Gogia and
Mr. Subhash Jha, Advs.

For Respondent (s)

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

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We are not inclined to invoke our jurisdiction under
section 438 of the Code of Criminal Procedure. The Special
Leave Petition is dismissed.

It is stated that the case has already been committed
to the Court of Sessions. The petitioner may, therefore,
surrender before the learned Sessions Judge and move an
application for bail invoking his power under section 439 of
the Code of Criminal Procedure and on such an application
being moved the learned Sessions Judge would do well in
disposing of the application for bail as expeditiously as
possible. The petitioner may surrender within four weeks
from today.

Be it be stated that the learned Sessions Judge will
dispose of the matter on its own merits without being
influenced, in any way, with the observation of the High
Court while rejecting the application under section 438.

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(Y.P.Dhamija) (Suneet Bala Sharma)@@
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Court Master Court Master@@
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