

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).4718/2007

(From the judgement and order dated 01/03/2007 in Crl.A No.548/1990  
of The HIGH COURT OF BOMBAY)

SUBHASH BABU PATIL

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

[With appln(s) for interim bail and permission to file addl. documents]

Date: 04/01/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. Vijay S. Kotwal, Sr. Adv.  
Mr. Sarang V. Kotwal, Adv.  
Mr. M.Y.Deshmukh, Adv. for  
Mr. Rameshwar Prasad Goyal, Adv.

For Respondent(s) Mr. R.K.Adsure, Adv.

UPON hearing counsel the Court made the following  
ORDER

Leave granted.  
The appeal is allowed in terms of the signed order.

(Subhash Chander)  
Court Master

(Kanwal Singh)  
Court Master

[Signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.18 OF 2008  
[Arising out of S.L.P.(Crl.)No.4718 of 2007]

Subhash Babu Patil

.....Appellant

Versus

State of Maharashtra & Anr.

.....Respondents

ORDER

Leave granted.

By the impugned judgment of the Bombay High Court, the appeal  
preferred by the appellant herein was disposed of in his absence. Without

going into the merits of the order passed, but, relying on the view taken by this Court that in the absence of the accused, fresh notice ought to have been issued, we set aside the impugned order of the Bombay High Court and remand the matter back to the High Court for fresh disposal.

In the event, the appellant applies for bail afresh, the same should be considered expeditiously by the High Court.

Having regard to this order, we request Hon'ble Chief Justice of the Bombay High Court to allocate this matter to a particular Division Bench before whom the parties before us shall appear either themselves or through their learned advocates on 06th February 2008.

The appeal is allowed accordingly.

Sd/-  
.....J.  
[ALTAMAS KABIR]

Sd/-  
.....J.  
[J.M. PANCHAL]

New Delhi.  
January 04, 2008.