

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(s).8594/2008

(From the judgement and order dated 17/09/2008 in CRLA No. 3103/2008
of The HIGH COURT OF BOMBAY AT NAGPUR)

STATE OF MAHARASHTRA

Petitioner(s)

VERSUS

LOPNATTH SHIVLAL TANDIL

Respondent(s)

(With appln(s) for issuance of non-bailable war. of arrest,stay)

WITH SLP (Crl.) No.8848 of 2008
SLP (Crl.) No.9213-9223 of 2008

Date: 05/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Manish Pitale, Adv.
 Mr. Sanjay Kharde, Adv.
 Ms. Asha G. Nair, Adv.
 Mr. Ravindra Keshavrao Adsure, Adv.

For Respondent(s) Mr. Uday B. Dube, Adv.
 Mr. Kuldip Singh, Adv.

 Mr. Kishor Ram Lambat, Adv.
 Mr. Deven Lambat, Adv.
 Mr. S. Rajappa, Adv.

 Mr. Sudheer Voditel, Adv.
 Mr. A.K. Sanghi

 Mr. Satyajit A. Desai, Adv.
 Ms. Anagha S. Desai, Adv.
 Mr. Sudhanshu S. Choudhari, Adv.
 Ms. Promila, Adv.
 Mr. A. Venayagam Balan, Adv.
 Mr. Kuldip Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel for the parties and

perused the records.

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In our view, the High Court was not justified in
granting anticipatory bail to the respondents by exercising
power under Section 438 of the Code of Criminal Procedure.

Accordingly, order dated 30.4.2008 passed in Criminal
Application Nos.2971/2007, 2977/2007, 2990/2007, 2996/2007,

3005/2007, 3006/2007, 3021/2007, 3025/2007, 3041/2007,
3070/2007 and 3073/2007, order dated 17.6.2008 passed in
Criminal Application No.834/2008 and order dated 17.9.2008
passed in Criminal Application No.3103/2008 granting
anticipatory bail to the respondents herein are set aside.

However, it is made clear that such of the
respondents, who have so far not done so, may surrender and
move application for regular bail. Such application shall
be decided by the concerned court expeditiously, without
being influenced by the observations contained in the
impugned orders passed by the High Court or the one passed
by this Court.

The special leave petitions are disposed of in the
above terms.

(Neetu Khajuria)
Sr.P.A.

(Mithlesh Gupta)
Court Master