

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 545/2024

AMOL VITTHAL VAHILE

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA

RESPONDENT(S)

O R D E R

1. In pursuance of the order passed by this Court on 29.01.2024 the High Court has passed an order on 12.02.2024 granting bail to the petitioner on merits.

2. It is thus clear that before the aforesaid order was passed by this Court on 29.01.2024, the High Court instead of deciding the application for bail on merits shunted it on one or the other ground.

3. Needless to state that Article 21 of the Constitution of India is the soul of the Constitution as the liberty of a citizen is of paramount importance. Not deciding the matter pertaining to liberty of a citizen expeditiously and shunting away the matter on one or the other ground would deprive the party of their precious right guaranteed under Article 21 of the Constitution of India.

4. We have come across various matters from the High Court of Bombay where the bail/anticipatory bail applications are not being decided expeditiously. We have also come across one matter SLP CrL...@ Diary No.1540/2024 (Ashok Balwant Patil v. Mohan Madhukar Patil and Ors), wherein the application for anticipatory bail was not decided for a period of more than four years.

5. We have also come across numerous matters wherein the learned Judges are not deciding the matter on merits but find an excuse to shunt the case on different grounds.

6. We, therefore, request the Hon'ble the Chief Justice of the High Court of Bombay to convey our request to all the learned Judges exercising the criminal jurisdiction to decide the matter pertaining to bail/anticipatory bail as expeditiously as possible.

7. The Registrar (Judicial) concerned of this Court is directed to communicate this order to the Registrar (Judicial) of the High Court, who shall place the same before Hon'ble the Chief Justice of High Court of Bombay.

8. The appeal is, accordingly, disposed of.

9. Pending application(s), if any, shall stand disposed of.

.....J
(B.R. GAVAI)

.....J
(SANDEEP MEHTA)

NEW DELHI;
FEBRUARY 16, 2024

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

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THE STATE OF MAHARASHTRA

RESPONDENT(S)

(IA No. 211390/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, IA No. 211392/2023 - EXEMPTION FROM FILING O.T.

IA No. 211393/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 16-02-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE SANDEEP MEHTA

For Appellant(s) Mr. Prashant Shrikant Kenjale, AOR

For Respondent(s) Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.

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

The appeal is disposed of, in terms of the signed order.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)

(Signed order is placed on the file)