

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

Criminal Application No. 1419 Of 2015.

KALYAN RAJENDRA PATHARE.
VERSUS
THE STATE Of MAHARASHTRA.

Appearance =>

Mr. N.C. Garud, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 17th April, 2015.

Per Court :-

Present Criminal Application is filed by the applicant seeking relaxation of conditions imposed upon him, by this court (Coram : K.U. Chandiwal, J.) as per the order dated 9th May, 2013 passed in Criminal Application No.2327/2013.

[2] The learned counsel for the applicant submits that relaxation of condition as imposed upon the applicant by the order dated 9th May, 2013 is warranted; since by the said order, present applicant is barred from entering into Shrigonda Taluka till conclusion of trial in respect of CR NO.145/2012 registered with Shrigonda Police Station.

The learned counsel for the applicant submitted that, against the present applicant, another case is pending on the file of the Judicial

Magistrate, First Class, Shrigonda bearing Regular Criminal Case No. 140/2007. He submitted that, since the applicant is not permitted to enter into the jurisdiction of Shrigonda Taluka, he could not attend the said criminal case, resulting into issuance of Non-Bailable-Warrant against him. The learned counsel, therefore, submitted that it is imperative to relax the conditions as imposed upon the Applicant by this court on 9th May, 2013 and the applicant be permitted to enter into Shrigonda Taluka at least for attending the criminal case bearing R.C.C. No.140/2007 pending on the file of the Judicial Magistrate, First Class, Shrigonda, District - Ahmednagar.

[3] Prayer made by the learned counsel for the applicant is just. In that view of the matter, condition as imposed by this court (Coram : K.U. Chandiwal, J.) vide order dated 9th May, 2013 passed in Criminal Application No.2327/2013 directing the applicant not to enter into Shrigonda Taluka till conclusion of the trial, stands relaxed to the extent that the applicant is permitted to enter into territorial limits of Shrigonda taluka in order to attend Regular Criminal Case No.140 Of 2007 pending on the file of the Judicial Magistrate, First Class, Shrigonda, District – Ahmednagar.

[4] It is made clear that the applicant shall be entitled to enter the territorial limits of Shrigonda Taluka only on the dates on which Regular Criminal Case No.140 Of 2007 is taken up by the learned Judicial Magistrate, First Class, Shrigonda, District – Ahmednagar.

[5] With this Criminal Application is allowed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)