

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 151 OF 2015
IN
ANTICIPATORY BAIL APPLICATION NO. 105 OF 2014**

Suresh Vallabhji Vora & Anr. ...Applicants
Versus
State of Maharashtra & Anr. ...Respondents

Mr. S. V. Kotwal i/b Mr. A. A. Patankar for the Applicants

Mr. S. H. Yadav, A.P.P for the Respondent No.1-State

Ms. Ankita Godbole i/b Wadia Ghandy & Co. for the Respondent
No.2

PI Mr. I. J. Kulkarni, from Economic Offences Wing, Unit-III is
present

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 7th MAY, 2015

P.C. :

1. By this application, the applicants seek modification/relaxation of the condition imposed by this Court vide order dated 1st April, 2014 (Coram: Mridula Bhatkar, J.) in Anticipatory Bail Application Nos. 105 of 2014 and 106 of 2014. The condition of which modification is sought is set out in para 11 Clause (iii) of the aforesaid order dated 1st April, 2014. The relevant portion thereof reads as under :

“(iii) shall report to the police station every Tuesday between 6pm to 8pm, till filing of the chargesheet.”

2. Learned Counsel for the applicants states that the applicants have been attending the concerned police station for the last one year and that till date, charge-sheet has not been filed in the said case. He submits that the applicant No. 1 is suffering from cancer and both the applicants are senior citizens. He submits that as far as the applicant No. 2 is concerned, he intends to go abroad from 5th June, 2015 to 28th June, 2015. Learned Counsel for the applicants has tendered an affidavit, to place on record that the applicant No.1 is suffering from cancer. The same is taken on record.

3. Learned A.P.P opposes the request. He states that till date, investigation is in progress and requests that the applicants be directed to attend the concerned police station to ensure the presence of the applicants.

4. Considering the peculiar facts of the case and considering the aforesaid submissions advanced by the learned Counsel for the applicants, the aforesaid condition of reporting to the police station on every Tuesday between 6:00 p.m. till 8:00 p.m. till the filing of the charge-sheet is relaxed, to the extent that the applicants shall now attend the concerned police station on the first Monday of every month from 6:00 p.m. to 7:00 p.m. till the filing of the charge-sheet. However, so far as applicant No. 2 is concerned, since he intends to travel abroad from 5th June, 2015 till 28th June, 2015, he shall attend the concerned police station on 2nd June, 2015 instead of first Monday of June, 2015. Accordingly, the aforesaid condition imposed vide order dated 1st April, 2014 is relaxed to the extent aforesaid. Rest of the conditions to remain as it is.

5. Application is disposed of on the aforesaid terms.

6. Parties to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.