

nsc.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.302 OF 2014

Nayan Vishnu Gharat and Anr.	...	Applicants
V/s.		
State of Maharashtra and Anr.	...	Respondents

Mr.Vikrant Sabne, for the Applicants.

Mr.S.H.Yadav, APP for the Respondent – State.

Mr.Deval K. Anja, for Respondent No.2.

Police Havaladar – Tadvi, Satpati Police Station, Palghar.

CORAM : REVATI MOHITE DERE, J.

DATED : 12th MARCH, 2015.

PC.

1. Heard the learned counsel for the Applicants, learned APP for the Respondent – State and learned counsel for Respondent no.2.

2. By this application, the Applicants seek modification/relaxation of the condition imposed by this Court in para 11, of the Order dated 15th July, 2013, passed in Criminal Application No.164 of 2013. The said para 11, of the Order dated 15th July, 2013, reads thus :-

“11. Under the circumstances, it is directed that the respondent nos.2 and 3 shall report to the police station on every Monday, Wednesday and Friday, between 5 p.m. to 7 p.m. till the disposal of the case against them.”

3. Learned Counsel for the Applicants submits that pursuant to the said order dated 15th July, 2013, the applicants have been attending the Satpati Police Station, regularly, on every Monday, Wednesday and Friday, between 5 p.m. to 7 p.m. He submitted that the trial is not likely to commence in the immediate near future, and that the job prospects of the applicants are getting affected

4. Learned Counsel for the respondent no.2, opposed the said application. He submitted that the applicants are the prime accused and that other accused with a lesser role have been granted attendance twice a week, considering the seriousness of the allegations.

5. Perused the application. The applicants have been attending the concerned police station regularly, as directed from July, 2013. The prospect of the trial commencing in the immediate near future is bleak. For the reasons stated in the application, the ends of justice will be

served, if para 11, of the Order dated 15th July, 2013, is modified to the extent that the “applicants shall now attend Satpati police station on every Sunday, between 5 p.m. to 7 p.m., till the disposal of the case against them”. The rest of the conditions imposed vide order dated 15th July, 2013, shall remain same.

6. The application is allowed to the extent aforesaid and is accordingly disposed of.

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

(REVATI MOHITE DERE, J.)