

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO.986 OF 2015

Shri.Sheriar Faramroze Patel
Constituted Power of Attorney
for Azharul Islam Mohd.

Ibrahim Siddiqui ... **Applicant**

V/s.

The State of Maharashtra & Anr. ... **Respondents**

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Mr.Sheriar F. Patel constituted Attorney of Applicant.
Ms.R.M.Gadhvi, APP for the Respondent No.1/State.
Ms.Rohini Salian, Special Public Prosecutor, for the Respondent
No.2/ATS.

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CORAM : ABHAY M. THIPSAY J.

DATED : 10TH DECEMBER 2015

P.C.

1. Heard Mr.Patel, the Constituted Attorney of the Applicant. Heard Ms.Salian, the learned Special Public Prosecutor for the State.

2. Ms. Salian points out that there are a number of improprieties in the drafting of the Application. She also submits that the application is made at the fag end of the trial. She, however, submits that since the trial is at an advanced stage, if the

applicant is undertaking to remain present before the trial Court on all the dates of the hearing of the case, as may be fixed by the trial Court, the condition requiring him to report the trial Court on every Monday may be cancelled.

3. I find that the condition was imposed at the time of release of the applicant on bail, as back as on 19/08/2013. That condition was imposed because the trial had not commenced and it was thought desirable that the applicant remains present before the trial Court. Now that the applicant is remaining present before the trial Court on the dates of hearing of the case fixed by the trial Court from time to time, there is no propriety for continuing such a condition.

4. The condition making the applicant to report to the trial Court on every Monday is cancelled with immediate effect.

5. The applicant shall, however, remain present before the trial Court, on all dates of hearing of the case, as may be fixed by the trial Court from time to time.

6. The application is disposed of, in the above terms.

(ABHAY M. THIPSAY J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed Judgment/Order.