

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.842 OF 2014

IN

BAIL APPLICATION NO.994 OF 2014

FARID MOHAMMED NASIR SHAIKH)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Malhari J. Bandgar, Advocate for the Applicant.

Mr.Deepak Thakre, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 7th JULY 2015.

P.C. :

1 Heard Mr.M.J.Bandgar, the learned counsel for the applicant. Heard Mr.Deepak Thakre, the learned APP for the State.

2 While releasing the applicant on bail, a condition that he shall attend Oshiwara Police Station, Mumbai, on every Sunday till the disposal of the case against him, was imposed upon him. By the present application, the applicant prays that the said condition be cancelled.

3 The bail order was passed in favour of the applicant on 2nd July 2014.

4 In order to ascertain whether the applicant had been attending the Police Station as directed, a report was called from the Oshiwara Police Station. Today, such report, submitted by the Inspector of Police, Oshiwara Police Station, to the learned APP, has been made available to the court for perusal. It appears that the applicant had attended the Police station only till 7th September 2014. However, the report itself indicates that this statement is made only on the basis of the copy of the entries in the diary maintained by the applicant, which are annexed to the application.

5 Thus, the police had not taken any steps on the
applicant's failure to report to the police station. That, he did not
report to the Police station after 7th September 2014 is also
revealed to them only from the copy of entries in the diary,
submitted by the applicant himself.

6 I am informed that a charge-sheet has already been
filed in the matter.

7 Under these circumstances, the lapse on the part of the
applicant in not reporting to Oshiwara Police station as directed, is
condoned.

8 The condition to attend Oshiwara Police station on
every Sunday is modified by stipulating that the applicant shall do
so, only once in a month i.e. on the first Sunday of each calendar
month, commencing from August 2015.

 It is directed that the applicant shall scrupulously
follow this condition.

8 The application is allowed in the aforesaid terms.

(ABHAY M. THIPSAY, J.)