

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.134 OF 2016
IN
CRIMINAL APPLICATION NO.4551 OF 2014

Prabhakar s/o Jairam Shetty,
Age 50 years, Occu.Business,
R/o Hatte Nagar, Latur
At present r/o Ausa, Taluka Ausa,
District Latur

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr Satej S. Jadhav, Advocate for applicant
Mr K.D. Mundhe, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 25th January 2016

PER COURT

Heard.

2. The applicant was released on bail by an order dated 29th September 2014 with a condition that applicant shall not enter the Corporation limit of Latur city for a period of two years or till the trial is concluded, whichever occurs earlier, but for the court proceedings with prior permission of the Court.

3. This Court, while granting bail, has observed liberty to the applicant to approach this Court for relaxation of condition referred above, after a period of six months from the date of order i.e. 29th September 2014.

4. Pursuant to above liberty, the applicant is before this Court for

relaxation of condition and to permit him to enter the city limit of Latur.

5. Learned Counsel for the applicant submits that the condition cited supra be relaxed, as the applicant is in hotel business and he is required to manage and supervise his business as in his absence, the said business is adversely affected for want of direct supervision.

6. Prayer is opposed by learned A.P.P. on the ground that the applicant is financially well settled and there is every likelihood that he will tamper with the investigation. He would then submit that on earlier occasion, there was threat to the life of the complainant and as such, prayed for rejection of application.

7. It is required to be noted that this Court, while granting bail has granted liberty to mention before this Court for relaxation of condition, after six months. The applicant is before this Court seeking relaxation of condition cited supra, after lapse of about one year and four months from the date of grant of bail i.e. from 29th September 2014. There is no complaint against the applicant of misuse of liberty.

8. Apart from above, there is hardly any material on record to infer that the applicant was instrumental in threatening the complainant or the family members of the victim. The family of the victim, I am told is provided with Police protection.

9. In that view of the matter, the condition imposed cited supra of restraining the applicant to enter the Corporation Limit of Latur city is hereby relaxed.

10. Speedy trial is the right of the accused. As such, hearing of the trial is expedited.

11. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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