

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

Criminal Application No. 5428 of 2016
(In Criminal Application No. 3886 of 2016)

District : Parbhani

Laxman @ Laxmanrao Dhondiba
Mundhe,
Age : 41 years,
Occupation : Agriculture,
R/o. Margalwadi,
Taluka : Gangakhed,
District : Parbhani.

.. Applicant.

versus

The State of Maharashtra,
Through Police Station,
Dindrud, Taluka : Majalgaon,
District : Beed.

.. Respondent.

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Mr. S.J. Salunke, Advocate, for the applicant.

*Mr. A.S. Shinde, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 28TH SEPTEMBER 2016

ORAL ORDER:

The applicant / accused in Crime No. 215/2015 registered with Police Station, Gangakhed, District Parbhani, for offences punishable under Sections 302, 323, 364, 143, 147, 148, 149, 109 and

201 of the Indian Penal Code, came to be released on bail by this Court vide order dated 3rd August 2016, in Criminal Application No. 3886 of 2016, with a condition that the applicant shall not enter the jurisdiction of Parbhani District for a period of three months from the date of the order. Further direction as per the order is to the effect that the applicant shall not enter Gangakhed Taluka until further order but for attending the Court.

2. By this application, the applicant has contended that the applicant is Member of the Zilla Parishad, Parbhani, so also he is Member of the Standing Committee of Zilla Parishad, Parbhani. According to the applicant, there is meeting of the Standing Committee of Zilla Parishad, Parbhani, on 29.09.2016 and being Member of the Standing Committee, he has to attend that meeting. It is also averred that the applicant is an accused in Crime No. 126/2009 for offences punishable under Sections 147, 148, 149, 452 and 323 of the Indian Penal Code which is pending for adjudication vide R.C.C. No. 175/2009 on the file of the learned Judicial Magistrate (F.C.), Gangakhed.

3. The learned Counsel for the applicant submitted that the applicant be permitted to attend the meeting which is convened on 29.09.2016 and he may also be permitted to attend the Court at

Gangakhed in R.C.C. No. 175/2009. My attention is drawn to the order dated 21.11.2015 by which the learned Judicial Magistrate (F.C.) has been pleased to issue non-bailable warrant against the present applicant in that Regular Criminal Case.

4. The order of this Court dated 03.08.2016, enlarging the applicant on bail, is clear. He is permitted to enter Gangakhed Taluka for attending the Court. Hence, no separate order is required on this aspect.

5. Seen the notice dated 21.09.2016 issued by the Deputy Chief Executive Officer of Zilla Parishad, Parbhani, convening the meeting of the Standing Committee of Zilla Parishad, Parbhani, on 29.09.2016. The learned Addl. Public Prosecutor argued that considering the subjects of this meeting, it is not necessary for the applicant to attend that meeting. However, being a Member of the Standing Committee, when the applicant is already enlarged on bail, he can be permitted to attend the meeting.

6. Therefore, the applicant is permitted to attend the meeting of Standing Committee of Zilla Parishad, Parbhani, convened on 29.09.2016 and for that purpose he is permitted to enter into territorial jurisdiction of Parbhani District.

7. The Application stands disposed of in the aforesaid terms.

8. Parties to act on an authenticated copy of this order.

(A.M. BADAR)
JUDGE

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