

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.220 OF 2016

Najeeb Suleman Mulla

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.S.R. Pasbola i/b Rahul Arote for the Applicant
Mr.A.M. Chimalkar and Mr.R.B. Thakare, Spl. P.P. With Mrs.P.P. Shinde,
APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **APRIL 11, 2016**

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. The application is moved for modification of clause 2(B) of the operative order dated 15.2.2016 passed by II Additional Sessions Judge, Thane, while granting bail. By the said clause (B), the applicant-accused was directed not to interact, contact the Municipal Officers, enter into Municipal Corporation except for attending meetings.
3. The learned Counsel for the Applicant submits that he is an elected Corporator and there are many issues in the Ward where people are facing problems and those issues are to be taken up before the corporation and they are required to be solved. Because of the order, it is not possible for him to perform his functions as a Municipal Corporator.

He has, therefore, moved this application for modification of the said condition.

4. Learned Prosecutor while opposing this application submits that the municipal officers are material witnesses and they will be pressurised, if the applicant-accused tries to contact them.

5. Considering the submissions of the parties, condition No.2(B) is deleted and the following condition is substituted therein:

“The accused shall not directly interact or contact or pressurise the Municipal Officers, who are the witnesses in the matter, except at the meetings.”

6. Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)