

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 311 OF 2016

Mahesh Kumar Surajmal & Ors. .. Applicants
Vs.
The State of Maharashtra .. Respondent

Mr. A. M. Saraogi for the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent.

CORAM : N. W. SAMBRE, J.
DATE : 5th DECEMBER, 2016.

P. C. :

1. The condition directing the applicant to attend the police station on every first Saturday is sought to be relaxed as was incorrect vide order dated 16.02.2016 in Criminal Application No. 37 of 2016 by this Court on the ground that the applicant is permanently residing at Jaipur and is not keeping good health. The relaxation as prayed is objected.

2. It is not in dispute that the matter is subjudice before the learned Metropolitan Magistrate as the offence is punishable under Sections 341, 452 of the Indian Penal Code. In view thereof, since the applicant is attending the Court, the condition is relaxed. Three consecutive absence before the learned Metropolitan Magistrate will entail him to form an opinion of cancellation and take out such proceeding without being influenced by the present order.

3. This application is, accordingly, disposed of.

[N. W. SAMBRE, J.]