

vks

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.317 OF 2014
IN
CRIMINAL WRIT PETITION NO.3730 OF 2012

Dinesh Singh Lakra Applicant.

Versus

The State of Maharashtra and anr Respondents

Ms. Sneha Singh i/by Ashok M. Sarogi, for the petitioners.

None for respondents.

Mr. A.S. Shitole APP for the State.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 24TH FEBRUARY 2016.

P.C. :

1. By this application, applicant is seeking relaxation of condition, imposed on him by order dated 9th July, 2013, by permitting the applicant to appear before Inspector of Police, Colaba Police Station, Mumbai once in three months. It is submitted that earlier as per order passed on 9th December, 2011, by the Metropolitan Magistrate, 28th Court, Esplanade, Mumbai in C.C.No.2800447/SS/2005, the applicant was granted bail on the condition that he should report once in a month i.e. on 15th day of each month before the Senior Inspector of Police, Colaba Police Station, till final disposal of the case.

2. The applicant, sought relaxation of said condition by filing Writ Petition No.3728 of 2012 and said writ petition was allowed and the condition was relaxed. Instead of reporting once in a month, the applicant was directed to report once in three months before Senior Inspector of Police, Colaba Police Station.

3. Now it is submitted that the applicant is giving attendance regularly as per order passed by this Court on 9th December, 2011 and subsequently by order dated 9th July, 2013. The proceedings before the trial Court are at the stage of cross examination of complainant and they pertain to dishonour of cheque, punishable under Section 138 of the Negotiable Instruments Act.

4. Learned counsel for the applicant submits that the applicant is regularly attending the trial Court and also undertakes to attend trial Court regularly. In view thereof, the condition imposed for giving attendance before Senior Inspector of Police, Colaba Police Station, once in three months, stands cancelled and it is directed that the applicant shall attend concerned police station as and when required. Application is allowed in above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]