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

***CRIMINAL APPLICATION NO.610 OF 2017
IN
CRIMINAL BAIL APPLICATION NO.1627 OF 2016***

Dipan Shah ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr.N.S.Mundargi a/w Chirag Dave i/b M/s. Legasis Partner for the Applicant.

Mr.S.S.Pednekar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 26th SEPTEMBER, 2017

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the Applicant seeks modification/relaxation of the order dated 21st September, 2016, in particular clause nos.(ii) and (iii), paragraph 6 of the said order. The relaxation/modification of clause nos.(ii) and (iii), of the order dated 21st September, 2016, read thus:-

“6.

- (ii) After his release from jail, the applicant shall attend the Azad Maidan Police Station once in month i.e. on every 1st Monday of the said month between 11.00 a.m. to 1.00 p.m. till the filing of the chargesheet.
- (iii) The applicant shall deposit his passport, if any, with the Investigating Agency.”

3. Learned Counsel for the applicant submits that the applicant has been attending the Azad Maidan Police Station, on the first Monday of the every month, between 11:00 a.m. to 1:00 p.m., since the date of his release. He submitted that this Court was pleased to direct the applicant to attend the concerned Police Station on the first Monday of every month, between 11:00 a.m. to 1:00 p.m., till the filing of charge-sheet. He further submitted that till date no charge-sheet has been filed as against the applicant. Learned Counsel also requests that clause no.(iii) of para 6, be relaxed and that the applicant's passport be returned.

4. Learned APP does not dispute the fact, that till date charge sheet has not been filed as against the applicant, though charge-sheet has

been filed against some of the other co-accused.

5. Perused the papers, in particular the order dated 21st September, 2016. Vide the aforesaid order, the applicant was directed to attend the Azad Maidan Police Station, once in month i.e. on the first Monday of every month, between 11:00 a.m. to 1:00 p.m., till the filing of charge-sheet. Admittedly, till date, charge-sheet has not been filed, qua the applicant, though it is filed against the other accused.

6. Considering the aforesaid, the application is allowed and the conditions set out in clause nos.(ii) and (iii), of para 6, of the aforesaid order dated 21st September, 2016, stand relaxed and modified, as under.

7. Accordingly, the applicant is now, not required to attend the Azad Maidan Police Station, on the first Monday of every month, between 11:00 a.m. to 1:00 p.m. and shall now attend the concerned Police Station, as and when called. As far as the return of passport is concerned, the same shall be handed over to the applicant. The Applicant shall, however, furnish his itinerary and details of the places/addresses and

contact numbers, whenever he intends to travel abroad. The said condition shall be valid only for a period of six months from today.

8. The Application is allowed and disposed of in above terms.

9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)