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

CRIMINAL APPLICATION NO. 37 OF 2018

Yogesh Shyamkrishna Agarwal

..Applicant

Vs

Directorate of Enforcement & Anr

..Respondents

Mr. A.P. Mundargi, Senior Advocate a/w Ram Kumar and D. Bhaumik i/b
AZB Partners for Applicant.

Mr. S.S. Hulke, APP for State.

None for Respondent No.1.

CORAM : A.S.GADKARI, J.

DATE : 20th FEBRUARY 2018.

P.C.:

1] The Trial Court while releasing the applicant on bail by its
Order dated 2nd November 2017 in PLMA No.7 of 2017, has imposed the
condition Nos.(iii) and (iv) which read as under:

(iii) The applicant shall provide his address proofs i.e. Aadhar
Card, ration card and also of his two blood relatives.

(iv) The applicant shall also provide his mobile number and of
his two blood relatives.

2] The learned Counsel for the applicant submitted that the
Special Court apart from the said conditions has also imposed various
conditions upon the applicant such as heavy bail amount with solvent

sureties etc. He submitted that the said condition Nos.(iii) and (iv) of providing address proofs of two blood relatives and their mobile numbers are onerous conditions. He submitted that even the Criminal Manual prescribed by the High Court does not contemplate imposition of such a condition. He therefore submitted that the said conditions may be waived.

3] The learned Counsel for the applicant placed on record the acknowledgement of service upon the respondent No.1. The same is taken on record. Despite service, none appears for the respondent No.1.

4] After perusing the Order dated 2.11.2017 it is clear that the Trial Court has imposed various conditions upon the applicant while releasing him on bail and providing address proofs of two blood relatives and their mobile numbers appears to be very harsh conditions and needs interference by this Court.

5] In view thereof, the said condition Nos.(iii) and (iv) imposed upon the applicant as far as providing address proof and mobile numbers of two blood relatives is concerned are waived. It is made clear that the other conditions imposed therein are not disturbed and are maintained.

Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)