

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.181 OF 2018

IN

CRIMINAL APPEAL NO.1045 OF 2011

SANDEEP DEORAM HANDE

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENT

Ms.Sneha Sanap, Advocate for the Applicant.

Mr.S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 13th FEBRUARY 2018

P.C. :

1 This is an application for modification of condition attending the court of Sessions at Thane, once in three months, during pendency of the appeal.

2 Heard the learned advocate appearing for the applicant/appellant. She submitted that the applicant is resident of Nasik and the appeal filed by him challenging this conviction is

admitted by this court for final hearing. The applicant is in service in a private Company. Attending Thane once in three months causes prejudice to the applicant, in as much as, he is suffering financially as well as physically.

3 The learned APP opposed the application.

4 I have considered the submissions so advanced. The applicant is convicted of offences punishable under Section 376 and 506 of the Indian Penal Code. The incident in question allegedly took place at Thane. The applicant is not residing at Thane but he is residing at Nasik, where he is working for earning his livelihood. As such, now there is no propriety in continuing attendance of the applicant at the court of Sessions at Thane and that too, once in three months. His learned advocate is taking care of the appeal filed by the applicant, and as such, the following order :

ORDER

- i) Condition No.3(i) of the order dated 26th April 2013 passed in Criminal Application No.150 of 2013 directing the applicant to attend the court of Sessions at Thane, once in three months, is deleted.
- ii) The application is accordingly disposed of.

(A. M. BADAR, J.)