

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI. APPLICTION NO. 313 OF 2018

Zakir Fateh Mohd. Qureshi vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Rohn Surve I/by D.V.Churi for the applicant.
Mrs. A.A.Takalkar, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.
DATE : 17th July, 2018

P.C.

1. This is an application for modification of condition No.3 imposed upon the applicant by the learned Additional Sessions Judge, Thane in BA No.1489/2018 by its Order dated 6.6.2018. The said condition reads as under:-

“Accused to deposit Rs.5,00,000/- in Court or in concerned department out of fine amount.”

2. It is to be noted here that, the application preferred by the applicant under Section 167(2) of the Cr.P.C. was allowed by the Court and the applicant was directed to be released on bail on certain conditions. When the

application was allowed under Section 167(2) of the Cr.P.C. there was no occasion for the concerned Court to impose fine upon the applicant and therefore, it appears to this Court that the said condition No.3 is onerous condition imposed upon the applicant.

3. In view thereof, the condition No.3 imposed upon the applicant by Order dated 6.6.2018 is hereby set aside.

4. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)