

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1176 OF 2018

IN

CRIMINAL APPLICATION NO.259 OF 2018

IN

CRIMINAL APPEAL NO.170 OF 2018

KAILASH DADHIA

)...APPLICANT

V/s.

CBI, STF MUMBAI AND ANR.

)...RESPONDENTS

Mr.P.K.Sanghrajka I/b. Rajeev Sawant and Associates, Advocate for the Applicant.

Ms.Ameeta Kuttikrishnan a/w. Ms.Anusha Amin I/b. Mr.Sandesh Patil, Advocate for Respondent No.1/CBI.

Mr.A.D.Kamkhedkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 6th OCTOBER 2018

P.C. :

1 This is an application for modification of condition of bail order dated 26th February 2018 in Criminal Application No.259 of 2018. By this order, while releasing the

applicant/accused on bail, this court had imposed condition of his attendance on every first Monday of the month between 11.00 a.m. to 2.00 p.m. at the trial court.

2 Heard the learned counsel appearing for the applicant/accused. He argued that the applicant/accused is more than 68 years of age, and therefore, it becomes very difficult for him to attend the trial court on every Monday of the month. No purpose is served by this condition.

3 The learned counsel appearing for the Central Bureau of Investigation has vehemently opposed the application and prayed for its rejection.

4 After passing the judgment and order of conviction and resultant sentence, the learned trial court has become functus officio. The applicant/accused is aged more than 68 years. As such, there is no propriety in continuing this condition. Therefore, the order :

ORDER

- i) The condition of attendance before the learned trial court on every Monday of the month is relaxed and dispensed with.
- ii) The application is disposed off accordingly.

(A. M. BADAR, J.)

**Arti Vilas
Khatate**

Digitally signed by
Arti Vilas Khatate
Date: 2018.10.09
13:29:35 +0530