IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1319 of 2017

IN

CRIMINAL APPEAL NO.443 OF 2016

Suraj Manik Thombre …Applicant

Versus

The State of Maharashtra …Respondent

Ms.Yamini Sharma i/b Tripti R.Shetty for the applicant.

Mr.V.V.Gangurde, APP for the State.

CORAM: A.M. BADAR, J.
DATED: 17th JANUARY 2018

PC:-

1. This is an application for modification of condition No.ii found in paragraph No.7 of the order dated 22nd August 2016 passed in Criminal Application No. 538 of 2016 by this Court while releasing the applicant/accused on bail.

2. Heard the learned advocate for the applicant/accused. She submits that the applicant is a sales man and this condition is encroaching on liberty of the applicant. He is unable to take up his occupation for earning livelihood. The learned APP submits that the applicant is residing at the next station and therefore, the condition is necessary.

3. I have considered the rival submission and also perused the order dated 22nd August 2016. There is no propriety in continuing condition No.ii of paragraph No.7 of the order dated 22nd August 2016. The applicant is already directed to be released on bail. As appeal is pending before this Court, no purpose will be served by directing him to attend the police station in the alternate month. Hence, the order

ORDER

(I) Condition No.ii of paragraph No.7 of the order dated 22nd August 2016 passed on Criminal Application 538 of 2016 is waived. However, the applicant is directed not to contact the prosecutrix or her relatives as well as prosecution

witnesses in any manner till pendency of the appeal filed by him.

(A.M. BADAR, J)