IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1182 OF 2018

Jaydas Sukur Tare … Applicant

Vs.

State of Maharashtra … Respondent

…

Mr. Manoj Harit I/by Mr. Manoj Harit & Company for the applicant.
Ms. A.A. Takalkar, APP for the Respondent-State.
Mr. Ranvir Bayes, Police Inspector, Crime Branch Unit-I, Thane is present.

…

CORAM : PRAKASH D. NAIK, J.
DATE : 6th OCTOBER, 2018.

P.C.

1. This is an application for modification of order dated 8th December, 2017 passed by this Court in Bail Application No. 2632 of 2017.

2. The applicant was arrested in C.R. No. 353 of 2017 on 11th September, 2017 for the offence punishable under Sections 265, 267, 420, 465, 468, 471 read with 34 of Indian Penal Code, Section 3(6) of the Motor Spirit and High Speed Diesel (Regulation and Supply Distribution and Prevention of Malpractices), 2005 and under Sections 3, 7, 8, 9 of the Essential

Commodities Act, 1955.

3. The applicant had preferred an application for bail before this Court which was allowed by order dated 8th December, 2017. Along with the applicant, other accused were also granted bail. This Court while allowing the said application directed that applicant shall attend concerned police station once in a week on every Sunday between 11 a.m. to 1 p.m. until further orders.

4. Applicant's contention is that in pursuant to his release on bail, applicant has been diligently complying the said condition. It is further submitted that it is not necessary to attend the police station for the purpose of investigation. It is further submitted that applicant is required to travel from Palghar to Thane on every Sunday which causes hardship to him.

5. Learned APP submitted that the proceedings are stayed by the Division Bench of High Court at Nagpur as well as Division Bench of this Court. The prosecution has filed appropriate proceedings before the Apex Court for vacating the stay and hence presently the attendance of the applicant is not necessary.

6. Taking into consideration aforesaid circumstances and more particularly considering the fact that condition was imposed vide order dated 8th December,2017 which is undisputedly complied by

the applicant. There is no impediment in relaxing the said condition. Hence, I pass the following order.

ORDER

i. The condition imposed vide order dated 8th December, 2017 regarding to attendance to concerned police station once in a week i.e every Sunday is relaxed.

ii. The prosecution is at liberty to move an appropriate application for revival of condition of reporting as and when necessary.

iii. Application stands disposed off.

(PRAKASH D. NAIK, J.)

Sachidanand Kuttan Nair
Digitally signed by Sachidanand Kuttan Nair
Date: 2018.10.11 10:38:56 +0530