

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 560 OF 2018

Suvarna Sandeep Khopade

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Ranjeet Patil for the applicant.

Mr. S.R. Agarkar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 23rd OCTOBER, 2018.

P.C.:

. By this application, the applicant herein had sought modification of condition no.2 of the order dated 01/09/2018 passed by the learned Additional Sessions Judge-1, Nashik in Criminal Bail Application No.1160/2018.

2. Heard Mr. Ranjeet Patil, learned counsel for the applicant and Mr. S.R. Agarkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The records reveal that the applicant herein had filed an

application under section 438 of Criminal Procedure Code apprehending her arrest in C.R.No.160/2018 registered at Gangapur Police Station, Nashik for offences punishable under section 420, 406 of the Indian Penal Code and under section 66(D) of the Information Technology Act.

4. While allowing the said application, the learned Sessions Judge had directed the applicant to attend the Gangapur Police Station, Nashik on every alternate day between 12:00 to 02:00 p.m. till filing of the charge sheet. Mr. Ranjeet Patil, learned counsel for the applicant has submitted that the applicant is a lady and that she is residing at Satara which is a distance of about 350-400 kms from the concerned police station. He submits that the applicant has to undertake a journey of 13 hours to report to the concerned police station. He submits that the applicant shall report to the Gangapur Police Station once a month. Statement is accepted.

5. The condition to report to the police station which is at a distance of over 300 kms, on every alternate day is onerous and serves no purpose. Considering the above facts and circumstances and in the light of statement made by the learned counsel for the applicant, the

application is allowed. The condition no.2 to report to the Investigation Officer on every alternate day till filing of the charge sheet is set aside and instead the applicant is directed to report to the Investigation Officer or Senior Police Inspector of Gangapur Police Station, on 1st Monday of every month till filing of the charge sheet.

6. Application stands disposed of accordingly.

(SMT. ANUJA PRABHUDESSAI, J.)