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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 158 OF 2019
IN
BAIL APPLICATION NO.2564 OF 2017

Pappu @ Sunil Dattatray Gaikwad

... Applicant

Vs.

The State of Maharashtra

... Respondent

Ms. Priyanka H. Chavan for the Applicant.

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

Mr. Swapnil Lokhande, API, Loni-Kalbhor Police Station, Pune.

CORAM: SMT. SADHANA S. JADHAV, J.

DATE : 25th SEPTEMBER 2019.

P.C. :

1 This is an application seeking relaxation of condition imposed upon the applicant vide order dated 10th August 2018.

2 Clause (iii) of the operative order is as follows :-

“(iii) The Applicant shall not reside in Dist. Pune till the conclusion of the trial except for attending the scheduled dates before the Sessions Court.”

3 The learned APP upon instructions submits that in view of the ensuing Vidhan Sabha Elections, it will not be appropriate to relax the conditions. Secondly, that the trial has commenced.

4 In fact, the applicant has abided by the said conditions for more than one year. The learned counsel for the applicant submits that the applicant is an agriculturist and the father of minor children. There is no one in the family to cultivate the said land. In fact, that is the only source of income.

5 In any case, the applicant was granted bail on merits of the matter by considering the material collected in the course of investigation. The applicant is not remotely connected with the political system and he undertakes to maintain peace and tranquility in the village. The applicant has also undertaken not to tamper with the evidence. In view of this, condition no.3 imposed vide order dated 10th August 2018 deserves to be relaxed. Hence, the following order :-

ORDER

- (i) The application is allowed in terms of prayer clause (a);
- (ii) The applicant shall report to Loni-Kalbhor Police Station on every Monday between 10.00 am to 12 noon till the conclusion of the trial and also attend all the scheduled dates before the trial Court;
- (iii) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J)