

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

CRIMINAL APPLICATION NO.596 OF 2019

in

Criminal Application No.964 of 2017

in

Criminal Appeal No.680 of 2016

Mohd. Nasim Mohd. Rafiq Khan	...	Applicant
v/s.		
The State of Maharashtra	...	Respondent

Mr. Aashay B. Topiwalla I/b. Anjali Patil for the applicant.
Mr. A.S.Patil, APP for the State.

CORAM : DAMA SESHADRI NAIDU, J.

2nd August 2019.

P.C.

The applicant was tried and sentenced to 10 years' rigorous imprisonment for the offences under Sections 304(1), 143 and 147 of IPC, and Section 27 of the Indian Arms Act. This Court, through order dated 28th June 2018, suspended the sentence and enlarged the applicant on bail subject to certain conditions. One of the conditions is that the applicant should visit the police station concerned once in a month i.e. on every first Saturday of the month, between 11.00 a.m.

and 12.00 noon, until further orders.

2. Now the applicant has come up with this criminal application to have the condition relaxed.

3. Heard Mr. Aashay Topiwala, the learned counsel for the applicant, and Mr. Ajay Patil, the learned APP for the State.

4. As I gather from the record, the crime is heinous and the sentence is for ten years. But the applicant has been complying with the condition for the past one year, so it may be appropriate to relax the condition reasonably.

I, therefore, modify condition no.2 in order dated 28th June 2018:

The applicant should visit the police station concerned once in two months i.e. the first Saturday of every alternate month, between 11.00 a.m. and 12.00 noon, until further orders.

(DAMA SESHADRI NAIDU, J)

L.S. Panjwani, P.S.