

Anand

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

CRIMINAL APPLICATION NO. 189 OF 2019

Aasad Yahia Chaus & ors. .Applicants

Vs.

The State of Maharashtra .Respondent

Mr. R. M. Yamgar, Advocate, for the Applicant
Mr. S. S. Hulke, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 14.06.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicants seek relaxation / modification of the condition No. 2) of the interim order dated 23.06.2016 which was confirmed by the Sessions Court vide Order dated 12.07.2016. The condition of which relaxation / modification is sought reads thus :-

“2) In the event of arrest of applicant No. 1) Aasad Yahia Chaus 2) Mumtaz Aasad Chaus, 3) Sajid Aasad Chaus, 4) Bilal Ismal Sheikh, 5) Sarfaraz Ismail Sheikh and 6) Rajia Chand Pasha

Patel be released interimly on bail on executing P. B. & S. B. of Rs. 15,000/- (Rs. Fifteen Thousand only) each with one or two sureties in the like amount, **with condition to attend concerned I. O. once in a week i. e. on every Sunday between 10.00 to 12.00 hours.”**

(emphasis supplied)

3. Learned counsel for the Applicants submits that the Applicants are regularly attending the concerned police station as directed, from 2016. He further submits that vide Order dated 10.08.2017 passed in W. P. No. 845 of 2017 filed by the Applicants for quashing, this Court directed the Respondent No. 1 not to file charge-sheet until further orders. The said Writ Petition has been admitted by the Division Bench of this Court.

4. Perused the papers. Whilst enlarging the Applicants on bail, the Sessions Court vide Clause 2), directed the Applicants to report to the investigating officer once in a week i. e. on every Sunday between 10.00 to 12.00 hours. The Applicants have been reporting regularly as directed.

5. Considering the aforesaid, the Application is allowed. Accordingly, Clause 2) of the Order of the Sessions Court, directing the Applicants to report to the investigating officer once in a week i. e. on every Sunday between 10.00 to 12.00 hours, stands relaxed.

6. Accordingly, the Application is disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)