

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1422 OF 2019

IN

CRIMINAL APPLICATION NO.746 OF 2018

IN

CRIMINAL APPEAL NO.533 OF 2018

ATMARAM MAHADEV GAVDE & ORS.)...APPLICANTS

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Dilip Bodake, Advocate for the Applicant.

Mr.A.R.Kapadnis, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 11th SEPTEMBER 2019

P.C. :

1 This is an application for relaxation of Condition No.5(c) of the order dated 3rd May 2018 passed by the co-ordinate Bench of this court, directing the applicants/appellants to attend the trial court on every first Monday of the month, between 11.00 a.m. to 2.00 p.m. till pendency of the appeal.

2 Heard both sides. The applicants/appellants are convicted for offences punishable under Sections 325, 324, 323 and 504 read with 34 of the Indian Penal Code and maximum sentence imposed on them is that of 2 years. They are already directed to be released on bail by order dated 3rd May 2018 passed by this court in Criminal Application No.746 of 2018, wherein the condition sought to be relaxed is made.

3 With passage of time, I see no justification in continuing that condition because the appeal is pending before this court and it can be decided on the basis of record. It is stated that the applicants/appellants are shepherds by occupation, residing far away from the trial court which is situated at Satara.

4 In this view of the matter, Condition No.5(c) stands deleted from the order. The application stands disposed off accordingly.

(A. M. BADAR, J.)