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

***CRIMINAL APPLICATION NO.1224 OF 2019  
IN  
CRIMINAL BAIL APPLICATION NO.300 OF 2017***

Saurabhkumar Arvindkumar Dubey ...Applicant

Versus

The State of Maharashtra ...Respondent

Ms.Shweta Kadam i/b Ms.Sudha Dwivedi, for the Applicant.

Mr.P.H.Gaikwad-Patil, A.P.P for the Respondent - State.

***CORAM : REVATI MOHITE DERE, J.***

***DATE : 20<sup>th</sup> SEPTEMBER, 2019***

**P.C. :**

1. Heard learned Counsel for the parties.
2. By this application, the Applicant seeks modification of the conditions set out in clauses (ii) and (iii) of para 5, imposed by this Court (Coram:A.S.Gadkari, J.) vide order dated 12<sup>th</sup> April, 2017, passed in Criminal Bail Application No.300 of 2017.
3. The conditions of which modification is sought, reads thus:-  
“5. ....  
(ii) After his release, the applicant shall attend the

Kapurbawdi Police Station, Thane once in a month on every first Monday.

(iii) The applicant shall attend all the dates before the Trial Court.”

4. Learned Counsel for the applicant states that the applicant has been attending the Kapurbawdi Police Station, Thane, once in a month on the first Monday, of every month, as directed by this Court. She further states that the applicant is working as a Marketing Executive with Orchids, the International School, Malad (West), Mumbai, and as such has to apply for leave, to attend the police station. As far as clause (iii) of the aforesaid order is concerned, she states that the trial Court refuses even in exceptional circumstances to give adjournment, in view of the condition set out in para 5 of clause (iii) of the order dated 12<sup>th</sup> April, 2017. She, therefore, requests that the aforesaid conditions be modified.

5. As far as condition set out in para 5 of clause (ii) of the order dated 12<sup>th</sup> April, 2017, is concerned, the same is modified to the extent, that ‘the applicant shall now attend the Kapurbawdi Police Station, Thane, once in a month i.e. on the first Sunday of every month, between 10:00 a.m. to 12:00 noon, till charge is framed against him, by the trial Court’.

6. As far as condition set out in para 5 of clause (iii) of the order dated 12<sup>th</sup> April, 2017, is concerned, needless to state, that the trial Court is at liberty to grant exemption, if the need, so arises, on an application being made by the applicant's advocate, having regard to the ground on which the exemption is sought. Accordingly, the condition set out in para 5 of Clause (iii) of the order dated 12<sup>th</sup> April, 2017 stands modified. 'The Applicant shall now, attend the trial Court on every date of hearing, unless exempted by the trial Court'. Rest of the Order dated 12<sup>th</sup> April, 2017, to remain as it is.

7. The Application is allowed and disposed of in above terms.

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

***REVATI MOHITE DERE, J.***