

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPP) NO. 193/2019

(OMKARSINGH TELSINGH BHOND **VERSUS** THE STATE OF MAHARASHTRA THR. PSO PS
 KARANJA (GHADGE) DISTRICT WARDHA)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri C.R. Thakur, counsel for applicant.
 Mrs. H.N. Prabhu, A.G.P. for non-applicant.

CORAM : A.S. CHANDURKAR, J.

DATE : FEBRUARY 27, 2019.

The applicant herein prays for relaxing one of the conditions imposed *vide* order dated 11.10.2017 while enlarging the applicant on bail.

The applicant is an accused in Crime No.238 of 2017 registered at Karanja (Ghadge) Police Station for offences punishable under Sections 279, 304-A, 302 and 120-B of Indian Penal Code read with Sections 184, 134 and 179 of the Motor Vehicles Act, 1988. By the order dated 11.10.2017, he was enlarged on bail and one of the conditions imposed was that he was restrained from entering the limits of Karanja Ghadge, District Wardha till the completion of the trial. In the application, it is now stated that the applicant's daughter has been engaged on 06.01.2019 and is to be shortly married. It is thus prayed that for a period of two months, the condition as imposed be relaxed by imposing any other suitable condition. It is also stated that with regard to the co-accused in the same crime, the Sessions Court has not imposed any such condition.

Reply has been filed by the Investigating Officer opposing the application. It is stated that since the witnesses are

residing at Karanja (Ghadge), it is likely that the applicant alongwith other accused could influence those witnesses.

Heard the learned counsel and perused the application as well as the reply. The order enlarging the applicant on bail is dated 11.10.2017. In the reply as filed it is not the say of the Investigating Officer that the conditions imposed therein have been violated. In the light of the fact that the applicant's daughter is to be married and the request for relaxation is for a period of two months, in the facts of the case, the following order is passed:-

- I. The condition imposed in the order dated 11.10.2017 in Criminal Application (BA) No.961 of 2017 not permitting the applicant to enter the limits of village Karanja (Ghadge), District Wardha is relaxed for a period of two months till 30.04.2019.
- II. The applicant however shall report at Karanja (Ghadge) Police Station, District Wardha on every alternate day between 11.00 a.m. till 1.00 p.m. Needless to state that it is always open for the Investigating Officer to take appropriate steps if it is found that the applicant has misused his liberty.

Criminal application stands disposed of on aforesaid terms.

JUDGE