

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION NO. 72 OF 2019

IN

CRIMINAL WRIT PETITION NO. 36 OF 2016

(Shahrukhkhan Firozkhan Pathan V/s The State of Maharashtra)

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr. R. M. Daga, Advocate for Applicant.

Mrs. M. A. Barabde, APP for Respondent – State.

CORAM : MRS. SWAPNA JOSHI, J.

DATE : APRIL 15, 2019.

P.C.

1. The Applicant has filed Application for relaxation of condition No.4 which was imposed upon him by this Court (Coram : A. B. Chaudhari, J.) vide order dated 2nd February 2016.

2. The learned Counsel for Applicant contended that this Court by order dated 2nd February 2016 passed in Criminal Writ Petition No. 36 of 2016 has directed to release the present Applicant on bail and has imposed the condition that the present Applicant shall not enter into Gondia District except for the dates of attendance in the trial, till the trial is completed.

3. It is submitted that the present Applicant has scrupulously followed the condition imposed by this Court. It is further submitted that all the other co-accused are released on bail and the said condition is also relaxed, so far as the other co-accused are concerned. Under these circumstances, it is prayed for the relaxation of the condition, so far as the present Applicant is concerned.

4. The learned APP has not disputed the position that the co-accused are also released on bail and the condition is relaxed as such.

5. I have considered the rival submissions and perused the matter.

6. Considering the fact that all the co-accused are released on bail and the condition is also relaxed in concern with them, on the ground of parity, present Applicant is also entitled for relaxation of the condition no.4 imposed upon him by this Court vide order dated 2nd February 2016. Hence, the following order.

ORDER

- (A) The condition of not entering into Gondia District which is imposed by this Court (Coram : A. B. Chaudhari, J.) vide order dated 2nd February 2016 is hereby relaxed.
- (B) The Applicant may remain in Gondia District, subject to the condition that he shall

regularly attend the Court on fixed dates and shall not indulge in any other criminal activities.

7. Criminal Application stands disposed of in above terms.

(MRS. SWAPNA JOSHI, J.)