

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPLN) NO. 20 OF 2019

(Ku.Roshani Noorchand Rathod vs. Pankaj Madan Pawar and another)

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

Court's or Judge's orders

Shri. R. J. Shinde, Advocate for the applicant.
Shri. V.P. Maldhure, APP for non-applicant No.2 / State.

CORAM : MANISH PITALE, J.

DATED : AUGUST 01, 2019

The applicant herein (original complainant) has approached this Court seeking cancellation of bail granted to the non-applicant No.1. It is claimed that the non-applicant No.1 has violated one of the conditions imposed upon him by order dated 20.02.2019, passed by the Sessions Court, while granting anticipatory bail to the non-applicant No.1.

2. It is claimed that the condition No. [iv] imposed by the Sessions Court to the effect that the non-applicant No.1 shall not threaten the witnesses was breached by the non-applicant No.1. It is claimed that in respect of such incident of threatening by the non-applicant No.1, a non-cognizable offence was registered on 05.03.2019. Copy of the same has been placed on record.

3. The learned counsel appearing for the non-applicant No.1 has pointed out that subsequent to the order granting bail to the applicant, one of the conditions pertaining to the requirement of the applicant attending concerned Police Station, stood relaxed by

order dated 25.06.2019, passed by the Sessions Court. A perusal of the said order shows that reason why the said condition was relaxed was that the non-applicant No.1 was required to go out of station for employment for few months. It appears that the non-applicant No.1 claims to be staying outside his usual place of residence for the purpose of employment. In these circumstances, without going into the allegation regarding violation of condition No. [iv] by the non-applicant No.1, this court deems it fit to direct the non-applicant No.1 not to enter Sewadas Nagar, Wadad, Tah. Pusad, Dist. Yavatmal during the pendency of the trial.

4. With these observations the application is disposed of.

JUDGE

MP Deshpande