

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

Criminal Application (APPP) No.1241 of 2019
in
Criminal application (APPP) No. 1423 of 2018
in
Criminal Application (BA) No. 274 of 2018 (D)
(Mr. Prashant Dattatraya Dharmik .vs. State of Maharashtra through PSO
PS Sitabuldi, Nagpur.)

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

Court's or Judge's orders.

Mr. R.V. Gahilot, Advocate for Applicant
 Mr. M.J. Khan, APP for Non-applicant/State.

CORAM : Manish Pitale, J.
DATED : August 02, 2019.

Heard learned counsel for the applicant as well as the learned APP.

2. This is an application seeking relaxation of condition imposed by this Court while granting bail to the applicant herein. It is pointed out that on an earlier occasion the condition stood relaxed. It is pointed out that by order dated 17.04.2018 when bail was granted to the applicant, one of the conditions imposed was that the applicant shall attend office of the Economic Offences Wing, Nagpur on every Tuesday and Saturday between 11.00 a.m. and 1.00 p.m. It was further pointed out that by subsequent order dated 07.09.2018, the said condition was modified and relaxed to the extent that the applicant was to remain present before the Investigating Officer on every 2nd and 4th Sunday of the month.

3. The learned counsel for the applicant has pointed out that certain co-accused persons were granted anticipatory bail by this Court wherein the condition imposed upon them was that they should make themselves available as and when required by the Investigating Officer. It is further pointed out that in an application filed by co-accused persons for quashing of the first information report, this Court while issuing notice, granted interim stay to filing of charge-sheet and the said interim order is continued till today. It is pointed out that the applicant has also filed similar application, which is pending before this Court, wherein it is noted that there is already an interim order in the similar application filed by the co-accused and no separate interim order is required to be passed. The aforesaid facts do show that the present application for further modification/relaxation of condition imposed by this Court, deserves to be granted.

4. Accordingly, it is directed that instead of the applicant remaining present before the Investigating Officer on every 2nd and 4th Sunday of the month, he shall make himself available before the Investigating Officer as and when required.

5. The application is allowed in the above terms.

JUDGE