

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

CRIMINAL APPLICATION (APPP) NO. 1097 OF 2020
IN ANTICIPATORY BAIL APPLICATION NO. 491 OF 2020

Kiran Gajanan Ingle and ors.
..vs..
State of Maharashtra, thr. P.S.O

AND

CRIMINAL APPLICATION (APPP) NO. 1098 OF 2020
IN ANTICIPATORY BAIL APPLICATION NO. 493 OF 2020

Kiran Gajanan Ingle and ors.
..vs..
State of Maharashtra, thr. P.S.O

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

Court's or Judge's orders

Shri S.M. Vaishnav, Advocate for applicants.
Shri S.D. Sirpurkar, A.P.P. for respondent-State.

CORAM : VINAY JOSHI, J.
DATED : 11/12/2020

Heard.

2. Condition of bail for periodical attendance at Police Station has been prayed to be altered in both applications. Two crimes of similar nature vide Crime No. 92 of 2020 and Crime No.53 of 2020 were registered against the applicants who are same in both the applications. Vide common order dated 11.08.2020 passed in LD-VC Criminal Application (ABA) No. 390 of 2020 and LD-VC Criminal Application (ABA) No. 319 of 2020 pre-arrest bail was granted to the applicants with one of the condition to attend concerned Police Station weekly on specified day and time till filing of charge-sheet.

3. Learned Counsel for the applicants would submit that they have approached to this Court for quashing of both F.I.R. registered in Crime No. 92 of 2020 and Crime No.53 of 2020 by filing two separate applications bearing LD-VC APL No. 500 of 2020 and Criminal Application (APL) No. 548 of 2020. In these applications, this Court has directed that charge-sheet shall not be filed against the applicants without leave of Court. In the wake of such orders passed by the Division Bench of this Court, Investigating Agency is precluded from filing of charge-sheet. Therefore, the applicants placed the difficulty of giving attendance to the Police Station for uncertain period. True, while releasing applicants on bail, condition of attendance was imposed for limited extent i.e. up to the filing of charge-sheet. Since by virtue of orders passed by the Division Bench, Police could not file charge-sheet, it would be inconvenient and unwarranted for applicants to give attendance to Police Station for future uncertain period.

4. In view of above, both applications are allowed. The condition of attendance imposed in LD-VC Criminal Application (ABA) No. 390 of 2020 and LD-VC Criminal Application (ABA) No. 319 of 2020 is altered and instead they should attend concerned Police Station as and when called.

5. Both Criminal Applications are disposed of accordingly.

JUDGE