

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 CRIMINAL APPLICATION NO. 1980 OF 2021
IN APEAL/151/2020

FAIZAN RAUF SHAIKH @ JAHAGIRDAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Z. H. Farooqui h/f Mr. Gaware Niteen V.
APP for Respondent-State: Mr. M. M. Nerlikar

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CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 10th DECEMBER, 2021

PER COURT:-

1. Heard.
2. The applicant is seeking relaxation of the conditions (b) and (e) imposed in terms of the order dated 30.09.2020 in Criminal Appeal No. 151 of 2020 filed for regular bail.
3. The said conditions (b) and (e) are reproduced herein below:

(b) The apellant shall not enter the municipal limits of Ahmednagar, except for the purpose of attending trial, as and when it commences.

(c) ...

(d) ...

(e) The appellant shall record his attendance at the local police station within whose limits he will now be residing until trial is over, on every Tuesday, Thursday and Saturday in between 11 a.m. to 01 p.m. and his attendance would be marked by the S.H.O. in the station diary by obtaining his signature.

4. So far as condition (b) is concerned, in the given set of allegations and investigation carried out in respect of the same, this Court has directed that the appellant shall not enter the municipal limits of Ahmednagar except for the purpose of attending trial as and when it commences. In view of the same, we are not inclined to relax the said condition.

5. So far as condition (e) is concerned, it is directed that the appellant shall record his attendance at the local police station within whose limits he will now be residing until trial is over on every Tuesday, Thursday and Saturday in between 11 a.m. to 01 p.m. and his attendance would be marked by the S.H.O. in the station diary by obtaining his signature. The said condition is required to be modified for the reason that the appellant is regularly attending the said police station three days in a week. In stead of that, we direct that:

“The appellant shall record his attendance at the local police station which whose limits he is now residing until trial is over, on first Sunday of every month till disposal of the trial.”

6. The criminal application is allowed to the extent of this modification and the same is accordingly disposed off.

(SANDIPKUMAR C. MORE, J.)

(V. K. JADHAV, J.)