

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1586 OF 2021
IN
BAIL APPLICATION NO.766 OF 2018

Dhananjay Jairam Desai .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Abhijeet Desai i/b Desai Legal for the Applicant.

Ms. S.R. Agarkar, A.P.P. for the State.

Mr. Raju Adagale, Police Inspector of Hadapsar Police Station,
Pune.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 28RD JUNE, 2021.

P.C:-

1. By the present Application, the Applicant seeks modification of the bail condition, which has been accepted by this court in terms of the undertaking given by him and were stipulated as conditions, subject to which he was admitted to bail.

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2. On 17/01/2019, the Applicant came to be released on bail in connection with C.R. No.305 of 2014. While releasing him on bail, the Applicant himself has filed an undertaking, which included a condition, being condition No.(g) to the effect that he will attend the Hadapsar Police Station on every Monday till the end of trial or as per the direction of this Court. This undertaking was accepted by this Court and, as condition for his release and the Applicant was directed to abide by the same.

3. On instructions, learned A.P.P. states that from the date of passing of the order on 17/01/2019, the Applicant has abided by all the conditions including the condition of attending the Hadapsar Police Station on every Monday. The Applicant is justified in seeking relaxation of condition since he states that on account of the pandemic, it is difficult for him to report every Monday and it poses a health risk to him as well as his family members. Since learned A.P.P. has confirmed that there is no breach of any condition including the condition of reporting to the Police Station on every Monday, taking into account the fair and law abiding conduct of the Applicant, I am of the opinion that he is entitled for relaxation of the said condition and his undertaking needs to be modified.

4. In view of the above, the Applicant is directed to attend the

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Hadapsar Police Station on any one day of his choice once in three months by telephonically intimating the Investigating Officer in advance. The Investigating Officer is directed to mark his attendance on the day of his attendance and maintain the record of the same. The condition No.(g) in the form of undertaking given by the Applicant stands modified to the said extent. Needless to state that the Applicant shall abide by the said stipulation till the conclusion of the trial.

5. Interim Application No.1586 of 2021 stands disposed of.

(SMT. BHARATI DANGRE, J.)