

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.561 OF 2021

Prakash Suwalal Lalwani

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Piyush R. Toshnival, for the Applicant.

Mr. A. A. Palkar, A.P.P for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 14th SEPTEMBER 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the Applicant has sought the following substantive prayer:-

“11.

- b) This Hon’ble Court be pleased to relax condition No. (c) imposed by the Ld. DJ-3 & Additional Sessions Judge, Sangli vide order dt. 03/09/2020 passed in Criminal Bail Application No.984 of 2020 which reads as “*He shall attend concerned police station on every fortnight on Monday commencing from 07.09.2020 in between 11.00 a.m. to 5.00 p.m. till filing of charge-sheet.*”

3. Perused the papers. The applicant is seeking relaxation of the condition imposed by the learned District Judge 3 & Additional Sessions Judge, Sangli vide order dated 6th January 2021. The condition of which relaxation is sought, reads thus:-

“4.`

2. Condition regarding attendance in the concerned police station imposed in Cri.Bail Application Nos.984/2020 stands modified as under:-

“Applicant is directed to attend concerned Police Station once in a month on first Monday between 11.00 a.m. to 5.00 p.m. till filing of charge-sheet.”

4. Learned Counsel for the applicant submits that a Division Bench of this Court (Coram: S. S. Shinde & M. S. Karnik, JJ.) vide order dated 22nd October 2020 directed that the charge-sheet shall not be filed without seeking leave of this Court. He submits that the applicant has attended the concerned police station, as directed by this Court vide order dated 6th January 2021, till date.

5. The aforesaid order dated 6th January 2021, was passed by the learned District Judge 3 & Additional Sessions Judge, Sangli, directing the applicant to attend concerned Police Station once in a month on first Monday between 11.00 a.m. to 5.00 p.m. till filing of charge-sheet. The Division Bench of this Court vide order dated 22nd October 2020 directed

that charge-sheet shall not be filed by the Investigating Officer, without the leave of this Court. Having regard to the same, it would be appropriate to relax the said condition of attendance.

6. Considering the aforesaid, the Application is allowed in terms of prayer clause 'b' and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.