

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

Criminal Application (APPP) No.325/2021

IN

Criminal Application (BA) No.1057 of 2019

Dinesh s/o Badalsing Rajput

Vs.

The State of Maharashtra through the P.S.O. P.S. Civil Line Akola Tq. and District Akola

Office notes, Office Memoranda of

Coram, appearances, Court's orders

Court's or Judge's Orders

or directions and Registrar's orders.

Shri A.S. Londhe, Advocate for the Applicant.

Ms. H.N. Jaipurkar, APP for the Non-applicant/State.

CORAM : S.M. MODAK, J.

DATE : 5th MAY, 2021.

Hearing was conducted through Video Conferencing and the learned Advocate agreed that the audio and visual quality was proper.

2. Today, learned Advocate Shri A.S. Londhe pointed to me the first affidavit filed by the mother of the present applicant – Dinesh Badalsing Rajput. Her name is Kokilabai Badalsing Rajput. She has affirmed that she is not having any son by name Jagdevsing. She has already affirmed the said fact in the earlier affidavit dated 7th April, 2021. But there was no affirmation. This fact is not dispute by the prosecution by adding any material.

3. So in view of this, the condition not to enter in the territorial jurisdiction of Akola Municipal Council needs to be relaxed. Hence, the following order is passed:

ORDER

a) The condition No.(v) in the order dated 13th December,

2019 passed in Criminal Application (BA) No.1057/2019 about prohibiting the entry in the territorial jurisdiction of Akola Municipal Council during the pendency of the trial is relaxed.

4. The criminal application is disposed of.

(S.M. Modak J.)

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