

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.1817 OF 2022
IN BA/965/2021**

1. RAJENDRA RAMKARAN PAL
2. GANESH LAXMANRAO CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Tripathi Manish P.
APP for Respondent/State : Ms. V.S. Choudhari

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CORAM : S.G. MEHARE, J.

DATED : 24th JUNE, 2022.

PER COURT:-

1. Heard learned counsel for the applicants and the learned APP for the State.
2. Learned counsel for the applicants would submit that the purpose of imposing conditions not to leave the jurisdiction of the trial Court without its prior permission is satisfied. Since the date of imposing condition i.e. 20.09.2021, the applicants are strictly observing the conditions. It may take time to file the charge sheet. Besides the same, the sanction under the provisions of Corruption Act is also required. It is experienced that the sanction may take years together.
3. Learned APP opposed the application contending that the investigation is still in progress hence, the condition should not be relaxed.

4. It appears that it was a trap case. The applicant no.2 was caught red handed and necessary investigation was done. The charge sheet is yet not filed. There is substance in the contention of the learned counsel for the applicants that it may take long time to file the charge sheet and getting sanction. Having regard to the nature of trial and the period of observing condition not to leave the jurisdiction of the concerned Court without its prior permission, appears fulfilled and the said condition would not help the Investigation Officer. The condition to attend the case on each material hearing may be imposed while relaxing the above condition. Hence, the following order :

ORDER

- I) The application is allowed.
- II) The conditions imposed by this Court by its order dated 20.09.2021 upon the applicants not to leave the jurisdiction of the concerned Court without its prior permission, is relaxed on a condition that the applicants shall attend the trial on every effective hearing.

(S.G. MEHARE, J.)