

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

CRIMINAL APPLICATION NO. 1931 OF 2022

IN

CRIMINAL APPLICATION NO. 185 OF 2019

IN

CRIMINAL APPEAL NO. 443 OF 2018

Ganesh Sakharam Survase

..APPLICANT

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. S.S. Choudhari, Advocate for applicant

Mr. P.G. Borade, A.P.P. for respondent no.1 - State

....

CORAM : R.G. AVACHAT AND

R.M. JOSHI, JJ

DATE : 16th DECEMBER, 2022

PER COURT :

1. This application is filed for relaxation of condition no. (iv) in the operative part of order dated 07th February, 2019, whereby the applicant was directed to attend Osmanabad Police Station every fortnight between 09:00 a.m. to 12:00 noon till decision of the appeal.

2. Learned counsel for the applicant submits that till date the applicant has complied with the said condition and evidence is produced to that effect alongwith the application. According to him, there is no likelihood of the appeal be taken up in near future and hence the said condition deserves to be relaxed.

3. Learned A.P.P. opposed the application.

4. For last three years the applicant is attending the concerned police station as per the directions of this Court. There is substance in the contention of learned counsel for the applicant that nobody can predict as to when the appeal is taken up for hearing. In the circumstances, we are inclined to relax the condition as prayed for.

5. In view of above, condition no. (iv) in the operative part of order dated 07th February, 2019 stands cancelled. Criminal application stands disposed of accordingly.

(R.M. JOSHI, J.)

SSD

(R.G. AVACHAT, J.)