

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2592 OF 2022
IN
CRIMINAL APPLICATION NO. 5973 OF 2016
IN
CRIMINAL APPEAL NO. 643 OF 2016

Abdul Rahimkhan Haji Sandukhan ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr Joydeep Chatterji, Advocate for Applicant
Mr R.D. Sanap, APP for the State

WITH
CRIMINAL APPLICATION NO. 2601 OF 2022
IN
CRIMINAL APPLICATION NO. 5961 OF 2016
IN
CRIMINAL APPEAL NO. 640 OF 2016

Mohd Amjat Ali Mohd Noor Ali ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr Joydeep Chatterji, Advocate for Applicant
Mr R.D. Sanap, APP for Respondent No.1/State
Mr S.V. Mundhe, Advocate for Respondent No.2 /MSEDCL

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 30th AUGUST, 2022

PER COURT :

1. These are the applications moved by the respective applicants for relaxation of conditions imposed by this Court while suspending the sentence and granting bail vide order dated 25th October, 2016.

2. Heard Mr Joydeep Chatterji, learned counsel for the applicants and Mr Sanjay V. Mundhe, learned counsel for the MSEDCL in both the applications.

3. Perused the order passed by this Court (Coram : V.L. Achliya, J.) dated 25th October, 2016.

4. While suspending the sentence and granting bail in Criminal Application No. 5973/2016 and Criminal Application No. 5961/2016, this Court (Coram : V.L. Achliya, J.) was pleased to impose certain conditions. Following is the condition sought to be relaxed by the respective applicants.

“(a) Pending disposal of appeal the applicant shall appear and record his attendance before the officer Incharge of Jinsi Police Station, Aurangabad on every last Sunday in each month in between 10 a.m. to 11 a.m.”

5. It is revealed during the course of argument that the respective applicants came to be convicted under section 135 of the Indian Electricity Act. The appeals have been admitted. It may take time to hear and dispose of the appeal finally. The question is about securing presence of the applicant in respective appeals. Already both the applicants have furnished the bail and that bail would take care to secure their presence. The applicants are not the hardened criminals so that their attendance is required at respective Police Stations and that too once in a month. There are no chances to take up these appeals finally in the near future.

6. Mr Mundhe, learned counsel for the MSEDCL submitted that atleast applicants may be directed to attend Police Station, once in three months.

7. I do not find any need to secure their presence by asking them to attend the concerned Police Station once in three months when they have already furnished the bail.

ORDER

- (i) Both the applications stand allowed.
- (ii) The condition imposed by this Court vide order dated 25.10.2016 in Application No 5973 of 2016 and Criminal Application No. 5961 of 2016 under clause (a) is hereby relaxed.
- (iii) Inform to the concerned Police Station accordingly as well as the concerned Court.
- (iv) Both the applications are accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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