

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.756 OF 2022
WITH
INTERIM APPLICATION NO.757 OF 2022
IN
CRIMINAL APPEAL NO.883 OF 2021

Sudarshan Prakash Patil

Applicant

versus

The State of Maharashtra

Respondent

Mr.Nitesh Mohite i/by Mr.Sunil Kamble, Advocate for applicant.
Ms.PN.Dabholkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 11th March 2022

PC :

1. This is an application for modification of order dated 27-10-2021. The sentence of imprisonment was suspended by this Court on a condition that the applicant shall report the Trial Court once in three months on the dates specified by the Trial Court till the appeal is finally disposed of.

2. It is submitted that the applicant is employed as a teacher in a school situated at Kolhapur. The Trial Court is at Palghar. It becomes difficult for the applicant to attend the Trial Court on the ground of his employment as well as distance he is required to travel.

3. Learned APP submitted that the applicant is required to attend Trial Court since the appeal is pending in this Court challenging the judgment and order of conviction. The attendance is imposed on

some principles which enables the Court to keep track of the applicant. At the most it may be modified to the extent that applicant shall attend the Trial Court once in six months.

4. The submission of learned APP is required to be considered Complete waiver of attendance cannot be granted as contended by learned advocate for applicant. Hence, I pass following order :

ORDER

- (i) The order dated 27-10-2021 passed by this Court in Interim Application No.2625 of 2021 directing the applicant to report once in three months, is modified and applicant is directed to attend the Trial Court once in six months on the day/dates specified by the Trial Court till the appeal is finally disposed off;
- (ii) Interim Application No.756 of 2022 is disposed of;
- (iii) Interim Application No.757 of 2022 be listed on board on 22-3-2022.

(PRAKASH D. NAIK, J.)

MST