

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1190 OF 2022
IN
BAIL APPLICATION NO.1332 OF 2017

Vaishali Vishal Mudale

Applicant

versus

The State of Maharashtra

Respondent

Ms.Shubhada Khot with Mr.Dhruv Balan, Advocate for applicant.
Mr.Pravin P. Chavan, Special PP with Ajay Patil, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 4th May 2022

PC :

1. This is an application for relaxation of condition of attendance imposed vide order dated 26th July 2017 passed by this Court in Bail Application No.1332 of 2017. While granting bail to the applicant it was directed that she shall attend Investigating Officer of State CID, Konkan Bhavan, Navi Mumbai once a month on every first Saturday between 11 am and 1 pm till further orders.

2. Learned advocate for applicant submit that applicant has complied the said condition of attending State CID, Konkan Bhavan, Navi Mumbai. She was subsequently directed to attend State CID, Pune and since then she is attending State CID, Pune. There is no necessity of attending investigating agency. Charge sheet is filed against applicant. Case is due for framing charge. Other accused were granted bail by Sessions Court and they were not directed to attend office of investigating agency. The applicant is attending

respondents since 2017. Acknowledgements of attendance are annexed to this application.

3. Learned Special Public Prosecutor submit that condition of reporting was not imposed on the co-accused since they had undertaken to deposit the amount. The applicant and co-accused are creating hurdle in framing charge, although there are directions for framing charge by Apex Court.

4. Learned counsel for applicant, however, submit that applicant has not delayed the trial or created any hurdle in framing charge. The applicant is lady. She has not filed any application before Trial Court so far and she is not instrumental in delay in the trial.

5. The applicant is attending investigating agency since 2017 and there is no report of breach of the order of attendance. Hence, relaxation can be granted.

ORDER

- (i) Interim Application is allowed and disposed of;
- (ii) The condition of reporting contained in clause-(ii) of order dated 26th July 2017 in Bail Application No.32 of 2017 is relaxed, however, applicant shall attend Trial Court regularly on the date of hearing before Trial Court, unless exempted by Trial Court for some reason.

(PRAKASH D. NAIK, J.)