

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO. 127 OF 2022

Chandrabhan Ramkrushna Jamodkar (Jawaikar) and another

Versus

State of Maharashtra, through P.S.O., P.S. Akot, Dist. Akola

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.S. Gawai, Advocate for the applicants.

Shri S.A. Ashirgade, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 23/02/ 2022

1. This is an application for relaxation of condition of attending the Police Station twice a week till filing of the charge-sheet as imposed by this Court while granting pre-arrest bail to the applicant on 11.09.2019. The learned counsel for the applicant submits that since from 2019 till date, the applicants have been regularly attending the Police Station twice in a week on every Sunday and Tuesday. It is submitted that charge-sheet is not filed. In the said backdrop, he prays for modification of the said condition.

2. On the other hand, learned A.P.P. strongly opposes the application and prays for rejection of this application.

3. I have perused the order of this Court dated 11.09.2019 passed in Criminal Application (ABA) No. 538 of 2019 directing them to attend the Police Station on every Sunday and Tuesday in between 3.00 p.m. to

5.00 p.m., till filing of the charge-sheet, since then, the applicants have been attending the Police Station. Though, the crime was registered in the year 2019, the charge-sheet has not been filed till date. While putting the condition to attend the Police Station twice in a week till filing of the charge-sheet, it was the expectation of the Court that the charge-sheet will be filed in reasonable period. However, though period of more than three and half years is lapsed, charge-sheet has not been filed. Hence, I am of the opinion that in the facts and circumstances of the case, it is necessary to modify the condition of the bail as regards attending of the applicants. Accordingly, I pass the following order :

- a) The application is allowed.
- b) The condition is modified as follows:
 - i) The applicants will attend the Police Station as and when their presence is required.

The criminal application is disposed of, accordingly.

[ANIL S. KILOR, J.]

CHETAN
LOPCHAND
DHAKATE

Digitally
signed by
CHETAN
LOPCHAND
DHAKATE
Date:
2022.02.25
15:14:42
+0530