

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

CRIMINAL WRIT PETITION NO. 4/2022

Vinod Mahaguji Khaire...Versus...The State of Maharashtra

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

Court's or Judge's orders

Mr. P.V.Navlani, Advocate for petitioner.
Mr. S.M.Ghodeswar, APP for Respondent/State

CORAM : AVINASH G. GHAROTE, J.

DATE : 05/01/2022

Heard Mr. Navlani, learned counsel for the petitioner and Mr. Ghodeswar, learned APP, who waives notice for respondent.

The only question involved is the relaxation of the condition no. 3 in the impugned order dated 05.08.2021, which directs the interim release of the trolley in the custody of the applicant on his furnishing bank guarantee of Rs. 1 lakh.

Learned counsel for the petitioner submits that a new trolley itself costs Rs. 1 lakh, for which reliance is placed upon the quotation issued by Provincial Tractors Pvt. Ltd dated 11.07.2021. He submits that the condition imposed should be reasonable and not so onerous as to make the order releasing the trolley in the custody of the petitioner inoperable.

Considering that the value of a new trolley is Rs. 1 lakh as per the quotation placed on record issued by Provincial Tractors Pvt. Ltd., the condition no. 3 in the impugned order dated 05.08.2021 is hereby modified by

permitting the petitioner to furnish the bank guarantee of Rs. 25,000/- instead of Rs. 1 lakh. The petition is accordingly allowed in the above terms. No costs.

JUDGE

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