

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

**Criminal Application (APPP) No. 2041 of 2022
in
Criminal Application (BA) No. 783 of 2022**

Mohd. Irfan S/o Pir Mohd. Khan

Versus

The State of Maharashtra, through Police Station Officer, Police Station
Tahsil, Nagpur

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

Court's or Judge's Order

Shri Atul Rawlani, Advocate for the applicant.

Ms. Shamsi Haider, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 21st DECEMBER, 2022.

This is an application for temporary relaxation of condition nos. (iii) and (iv) mentioned in the order dated 12th September, 2022 passed in Criminal Application (BA) No. 783 of 2022, while granting bail to the applicant.

2. By condition no.(iii), the applicant was prohibited from entering territorial jurisdiction of Nagpur District till culmination of trial. The applicant wants relaxation of this condition as there is a marriage at his brother-in-law's place. He is seeking the

relaxation of the conditions for the period with effect from 22nd December, 2022 till 27th December, 2022.

3. Learned Additional Public Prosecutor, on instructions, makes a statement that if the condition is relaxed, there is every possibility that he may pressurize the witnesses. Furthermore, there are threats to the witnesses. Accordingly, she opposes the present application.

4. Considering the fact that most of the witnesses have already been examined by the trial Court and as there is a marriage in close relations, I am of the opinion that conditions should be relaxed for the period from 25th December, 2022 till 27th December, 2022 for three days. Accordingly, I pass the following order.

- i. Criminal application is partly allowed.
- ii. Condition nos. (iii) and (iv) vide order dated 12th September, 2022 in Criminal Bail Application No. 783 of 2022 is hereby relaxed with effect from 25th December, 2022 till 27th December, 2022. (Both days are inclusive).

Accordingly, criminal application is disposed of.

[ANIL S. KILOR, J.]

Digitally signed
by
SACHINDANAND
K NAIR
Date: 2022.12.21
14:47:53 +0530