

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 725 OF 2023
IN APEAL/263/2020 WITH APEAL/263/2020

BHAGWANDAS S/O. GOVIND PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Vishal A. Chavan h/f Mr. Deshmukh Devang R.
APP for Respondents/State : Mr. P. N. Kutti

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CORAM : KISHORE C. SANT, J.

DATE : 27th APRIL 2023.

Per Court :

Heard.

1. This application is seeking relaxation of condition imposed by this Court in Criminal Application No.878/2020 vide its order dated 05.06.2020, whereby the condition (B)(i) of the order, reads as under :

“Pending disposal of the appeal, the applicant shall appear and record his presence before the Officer incharge of Police Station, Kranti Chowk, Aurangabad, on last day of each month in between 11-00 a.m. to 12-00 noon.”

2. The applicant has filed this application, submitting that now no such condition is required. Till now he is attending the police station as per the said order. The purpose of the operative order may be served even by removing the said condition, as other conditions are already there taking sufficient care of the victim. The appeal is admitted in 2020 and the same is not likely to be heard in near future and in such circumstances, the applicant finds it difficult to obey the said condition i.e. (B)(i) of the order dated 05.06.2020.

3. The learned Advocate for the respondent submits that in fact this condition was rightly imposed to secure the presence of the applicant in the appeal and no any incident happened, when he released on bail.

4. The learned APP also submits that the condition is necessary and the order is rightly passed.

5. Looking to the condition and since for almost three years, the applicant has obeyed the condition and has not committed any breach of the conditions. This Court finds that since other conditions already

imposed, a case is made out to remove the condition no. (B)(i) from the order. Hence the following order.

ORDER

- (i) The application is allowed.
 - (ii) Condition no.(B)(i) of the order dated 05.06.2020 stands deleted.
 - (iii) The applicant shall furnish information about his contact details and address to the concerned police station alongwith his cell phone number. He shall also inform if there is any change in the above details.
6. With this, the Criminal Application is disposed off.

[KISHORE C. SANT, J.]

Najeeb.