

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1013 CRIMINAL APPLICATION NO.3362 OF 2022

RAMESHWAR NARAYAN GITE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Kanawade Ajay T.
APP for Respondent-State : Mr. S. B. Narwade.

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CORAM : S. G. MEHARE, J.
DATE : 12.01.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking relaxation of the condition imposed by the learned Additional Sessions Judge not to enter in the village and agricultural field of the injured on the ground that the applicant is an agriculturist and it is the only source of his livelihood. He is the only son of his parents. There is no one in his family to look after the field. The applicant is suffering monetary loss. The Learned Additional Sessions Judge did not consider the grounds seeking the cancellation and rejected his prayer to relax the condition.

3. The learned APP would submit that the injured still not in a position to speak properly. His medical condition is not good. The father of the applicant has already breached the terms of the conditions and the necessary action has been taken against him. Considering the ill health of the informant and inability to speak properly, it would not be appropriate to relax the condition at this juncture. However, if there would be no improvement in the health of the injured within three (3) months from today, the applicant may approach the learned Sessions Court for relaxation of the condition.

4. With the above observations, the Criminal Application stands disposed of.

(S. G. MEHARE, J.)

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vmk/-