

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1632 OF 2023****IN****CRIMINAL APPEAL NO.7477 OF 2005****WITH****CRIMINAL APPEAL NO. 1051 OF 2005**

Deepak Laxman Kudu

...Appellant

Versus

The State Of Maharashtra

...Respondent

....

Ms. Varsha M. Thorat with Mr. Sanjeev P. Kadam Advocate for Applicant/Appellant.

Mr. Y. Y. Dabake, APP for the Respondent – State.

....

CORAM : PRAKASH D.NAIK, J.**DATE : 14th JUNE, 2023.****P.C.:-**

1. This is an application for modification of order dated 14th December 2005 passed by this Court in Criminal Application No.7477 of 2005.
2. The appeal preferred by applicant challenging the judgment of conviction has been admitted and it is pending for final disposal. While suspending the sentence and admitting the appeal, the applicant was directed to report concerned police station once in a month on first Monday of every month. It was also directed the applicant shall not leave district of Thane and Mumbai during the pendency of criminal appeal without prior

permission of this Court.

3. Learned Advocate for the applicant submitted that, the applicant has diligently complied the conditions which are in operation since last 17 years.

4. Considering the fact that the conditions are in operation for a long period of time it needs to be relaxed and hence order dated 14th December 2005 can be modified.

ORDER

- (i) Interim Application No.1632 of 2023 is allowed.
- (ii) Order dated 14th December 2005 is modified. Clause (ii) of the said order directing the applicant to report concerned police station is altered to reporting once in six months on first Saturday of the month between 11.00 am to 01.00 pm till further orders.
- (iii) Condition No.(v) directing the applicant not to leave district Thane and Mumbai during the pendency of Appeal without permission of Court is relaxed/deleted.
- (iv) Interim Application stands disposed off.

(PRAKASH D. NAIK, J.)