

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2900 OF 2021
IN
CRIMINAL BAIL APPLICATION NO.2285 OF 2018**

Bhimrao Bhagwan Pawar Applicant

versus

State of Maharashtra Respondent

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- Ms. Ranjan J. Rajgor, Advocate for Applicant.
- Ms. M. R. Tidke, APP for the State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 01st MARCH, 2023**

P.C. :

1. This is an application for modification of the order dated 22/12/2018 passed by this Court (Coram : Prakash D. Naik, J.) in Criminal Bail Application No.2285 of 2018. Vide that order the Applicant was directed to be released on bail in connection with C.R.No.I-361 of 2017 registered with Rabale MIDC Police Station, Navi Mumbai, on his furnishing PR. bond in the sum of Rs.25,000/- with one or more sureties in the like amount. By the third clause of the operative part of that order

the Applicant was directed to attend the Rabale MIDC Police Station, Navi Mumbai, once in a month on first Saturday of the month between 11.00 a.m. to 01.00 p.m. till further orders.

Now this application is preferred for cancellation of that condition.

2. Heard Ms. Ranjan J. Rajgor, learned counsel for the Applicant and Ms. M. R. Tidke, learned APP for the State.
3. The offence registered against him is u/s 302 r/w 34 of the Indian Penal Code. Learned counsel for Applicant states that the charges are not yet framed and the Applicant is attending the Trial Court on every date fixed for hearing. She also states that the Applicant has diligently complied with this particular condition of attending the police station once every month. She further submitted that the Applicant has shifted to Karmala, District Solapur and therefore it is very difficult for him to travel

to Navi Mumbai every month. He is in very poor financial condition.

4. Learned APP submitted that though the condition can be relaxed, it may not be completely cancelled.

5. I have considered these submissions. The order was passed on 22/12/2018. More than 4 years have passed. The Applicant has shown his bonafides by attending the concerned police station. Therefore the condition can be relaxed to some extent. But considering the nature of the offence, it cannot be cancelled completely at this stage.

6. Hence, the following order :

ORDER

- (i) Instead of reporting to Rabale MIDC Police Station, Navi Mumbai, once in a month, the Applicant is permitted to attend the nearest police station from his residence, once in three months.

- (ii) The Applicant shall furnish his residential address to the Rabale MIDC Police Station, Navi Mumbai and also inform about the nearest police station from his residence.
- (iii) Every time he changes his residence, he shall inform about it to Rabale MIDC police station.
- (iv) He is directed to attend the nearest police station from his residence once in every three months, till further orders.
- (v) The Applicant shall attend every date in the Trial Court unless prevented by a reasonable cause, acceptable to the Trial Court.
- (vi) Rest of the conditions in the order dated 22/12/2018 passed in Criminal Bail Application No.2285 of 2018 are maintained as they are.
- (vii) With these observations, the application is disposed of.

(SARANG V. KOTWAL, J.)