

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

**CRIMINAL APPLICATION NO.1418 OF 2018
IN
CRIMINAL APPEAL NO.304 OF 2017**

Mohd. Zaffar Alam Akhtar Rine ...Applicant
vs.
The State of Maharashtra and Anr. ...Respondents

Ms. Nandini Vasaikar h/f. Mr. Prakash V. Vare, Advocate for the Applicant.

Mr. S.R. Agarkar, APP for Respondent – State.

Mr. Pawar, PSI, Nehru Nagar Police Station, Mumbai present.

**CORAM : S. M. MODAK, J.
DATE : 12th DECEMBER 2023**

P. C. :-

1. Heard learned Advocate for the Applicant-Appellant and learned APP for Respondent – State.
2. He invited attention of this Court to the order dated 24th July 2017 in Criminal Appeal No.304 of 2017 when the Court has granted regular bail to this Applicant. It is in C.R. No.91 of 2016 registered with Nehru Nagar Police Station. The offences are under Sections 452, 427, 323, 504, 506, 395, 397, 450, 143, 147, 148 and 149 of Indian Penal Code, 1860 (“IPC”) with the condition imposed “not to enter within the jurisdiction of Nehru Nagar Police Station”.
3. A period of more than six years has expired after putting this condition and more than five years have expired after filing this

application. It is very strange as to how this application is pending for these five years. One does not know whether the applicant has started entering Nehru Nagar Police Station.

4. However, learned APP is not having any instructions from the officer present from the concerned Police Station that the Applicant has breached this condition.

5. The reasons for relaxation are mentioned in the application.

6. In view of that, the following order :-

ORDER

(i) Condition No.3 (page 16) of the order dated 24th July 2017 passed in Criminal Appeal No.304 of 2017 is cancelled.

(ii) Interim Application is disposed of.

[S. M. MODAK, J.]