

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPP) NO.554 OF 2023 IN
CRIMINAL APPLICATION (BA) NO.785 OF 2022

Sudip s/o Shriram Soni Vs. State of Maharashtra
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CRIMINAL APPLICATION (APPP) NO.553 OF 2023 IN
CRIMINAL APPLICATION (BA) NO.954 OF 2022

Snehdeep s/o Shriram Soni Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's Orders.

Court's or Judge's orders.

Shri G.S. Gaur, Advocate for applicantS.
 Shri I.J. Damle, APP for non-applicant/State.

CORAM : ANIL L. PANSARE, J.
DATE : APRIL 13, 2023.

The applicants have been released vide order dated 07.09.2022 passed in Criminal Application (BA) No.785/2022 (Sudip s/o Shriram Soni Vs. State of Maharashtra) and order dated 07.09.2022 in Criminal Application (BA) No.954/2022 (Snehdeep s/o Shriram Soni Vs. State of Maharashtra).

2. The applicants are facing trial for the offence punishable under Sections 420, 465, 467, 468, 471, 472, 409, 120B, 201 read with Section 34 of the Indian Penal Code in Crime No.458/2019 registered with Police Station, Gadchiroli. One of the conditions while releasing the applicants on bail was that they shall attend concerned Police Station on 1st and 16th day of each month, till culmination of trial.

3. Learned counsel for the applicants submits that the applicants have diligently attended the police station. However, since the applicants are residing at Nagpur it is becoming troublesome for them to attend police station twice a month.

4. Learned APP however has opposed the application on the ground that they are not attending the trial diligently. He further submits that twenty five witnesses have been examined and fourteen witnesses have remained to be examined.

5. The counsel for the applicants has instantaneous responded by submitting that that they have attended trial through advocate, who has filed application for exemption and which has been granted by the learned trial Court and that the applicants have and will cooperate in the trial.

6. To my mind if the applicants do not attend the trial or prolong the same, the trial Court has ample power to secure their presence. However, towards abundant precaution the present application is being allowed with modified condition that the applicants shall attend the trial diligently and shall not seek adjournment unless under extreme circumstances to the satisfaction of the learned trial Court and in case of breach of condition, the trial Court shall be at liberty to cancel the bail.

7. Hence, the following order :

The condition to attend the police station on 1st and 16th of each month is relaxed and modified as under:

“The applicants shall attend the trial diligently and shall not seek adjournment unless under extreme circumstances to the satisfaction of the learned trial Court.”

The application is disposed of.

(Anil L. Pansare, J.)

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