

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO. 690/2023 IN
CRIMINAL APPLICATION (BA) NO. 852/2021 (D)

Ashok S/O Motiram Zanke

Vs

The State Of Maharashtra, Thr. Pso, Police Station Kuhi, Dist. Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr G.S. Gour, advocate for the applicant.

Mr I.J. Damle, advocate for the respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 06/06/2023.

1. Heard.
2. By this application, the applicant is seeking relaxation/modification of the condition which was imposed by releasing him on bail vide order dated 14/09/2021.
3. The applicant had approached this Court for grant of bail under Section 439 of the Code of Criminal Procedure, 1973 by filing Criminal Application (BA) No. 852/2021 in respect of Crime No. 121/2020 which was registered under Section 420, 467, 468, 471 of the Indian Penal Code, 1860 registered at Kuhi Police Station, District Nagpur. This Court released the applicant on bail by imposing the condition that the applicant shall mark his attendance at the jurisdiction of the Police Station every Monday of the week between 11.00 a.m. to 01.00 p.m. and shall keep the

Investigating Officer updated with the cell phone numbers and address.

4. As per the contention of the applicant, now investigation is completed, charge-sheet is filed, his further presence at the Police Station is not required. Hence, the condition imposed be relaxed or modified.

5. The application is replied by the State and submitted that the Investigation has been completed and the charge-sheet is filed on 05/05/2021 before the Court. Now, the presence of the present applicant is no more required in the Police Station for the investigation purpose. However, considering the nature of the offence committed by the applicant, this Court may modify the condition by directing the applicant to furnish his cell phone numbers, address and shall attend the concerned Police Station as and when required.

6. Heard learned advocate for the applicant as well as learned APP for the State. Perused the application and reply filed by the State. As the investigation is completed and further presence of the applicant is not required for investigation purpose. However, considering the issue regarding securing the presence of the present applicant is concerned, the condition imposed is to be modified to secure his presence for the trial.

7. In view of that, the condition imposed is modified as follows:

- a) The applicant shall remain present before the Investigating Officer as and when required and shall also furnish his cell phone numbers along with his address proof.
- b) Criminal application is **disposed of**.

JUDGE