

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1031 OF 2024
IN
CRIMINAL BAIL APPLICATION NO.650 OF 2023

The State of Maharashtra

Applicant

versus

Mohammad Jamal Nadaf

Respondent

Mr.Meghdeep M.Oak, Advocate for Applicant.

Mrs.Veera Shinde, APB for State.

CORAM : ANIL S.KILOR, J.

DATE : 11th July 2024

PC :

1. This is an application for cancellation of bail moved by the State on the ground that despite the condition imposed by the Court not to enter the States of Maharashtra and Karnataka, the Applicant has breached the said condition and entered into the State of Karnataka and committed the offence being C.R No.174 of 2023 u/s.323, 307, 504, 34 of IPC r/w Sections 25(1)(a), 29(A), 29(b).

2. Learned counsel for Respondent tried to give justification that he entered in to Karnataka State for medical treatment and in spur of moment the alleged incident took place.

3. However, the fact remains that Applicant has breached the condition.

4. Learned counsel for Respondent further submits that now the Applicant is in Goa and regularly attending the police station as directed by this Court and after the alleged incidence, there is no

further complaint of misuse of liberty by Applicant. He therefore submitted that Applicant may be given one opportunity.

5. Thus, considering the request made by the Respondent that he may be given one more opportunity, I am of the opinion that present application needs to be disposed off. However, the conditions imposed while granting bail i.e. not to enter into the States of Maharashtra and Karnataka shall continue to operate and for any reason if the Applicant wants to enter into the States of Maharashtra and Karnataka, he shall obtain permission from the Trial Court. It is further observed that any further breach will be taken as breach of undertaking given to this Court that he will abide by all the conditions imposed by this Court for grant of bail.

6. Interim Application is rejected.

(ANIL S.KILOR, J.)

MST