

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.240 OF 2024

Gajanan Mallikarjun Birajdar, Age 47 years,
Occ.service, R/o.Kusur, Post.Khanapur,
Tal.South Solapur, Dist.Solapur.

Applicant

versus

The State of Maharashtra

Respondent

Ms.Vrushali Maindad with Ms.Simran Raut for Applicant.
Mrs.Savita M.Yadav, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 18th September 2024

PC :

1. In the present application the modification is sought to the condition not to enter Village Kusur, Taluka South Solapur, District Solapur till disposal of the case. It is submitted that the Applicant is a member of Gram Panchayat of Village Kusur and it is mandatory under the provisions of Maharashtra Village Panchayat Act to attend meetings of Gram Panchayat. The learned counsel for Applicant submits that unless the condition is relaxed to the extent to enter the village Kusur to attend the monthly meeting of Gram Panchayat, he cannot comply with the statutory provisions.

2. Considering the above referred ground and the provisions of Maharashtra Village Panchayat Act, I am of the opinion that relaxation of the said condition can be permitted to the extent allowing the Applicant to enter in to Village Kusur on the date of monthly meeting only for the purpose of attending monthly meeting of Kusur Village Panchayat.

3. Accordingly, Condition No.2(a) of the order dated 18th April 2024 passed in Criminal Bail Application No.354 of 2024 passed by Additional Sessions Judge, Solapur is modified as follows :-

“2(a) The Applicant/accused shall not reside in Village Kusur, Taluka South Solapur, District Solapur till disposal of the case. However, to enter in Village Kusur on the date of monthly meeting, he is permitted to attend monthly meeting of Kusur Village Panchayat.”

4. As far as other conditions enumerated in order dated 18th April 2024 are concerned, those will remain in force and intact. Criminal Application is disposed off.

(ANIL S.KILOR, J.)

MST