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

INTERIM APPLICATION NO. 330 OF 2024
IN
BAIL APPLICATION NO. 3138 OF 2022

Rummy Paramjit Singh Rajput
Versus

....Applicant

The State of Maharashtra

....Respondent

Mr. Sanjeev P. Kadam a/w Mr. Prashant Raut, Ms. Varsha Thorat, Mr. Mayur Sanap and Mr. Ganesh Pawar i/b Bhalchandra Shinde, Advocate for the Applicant.

Mr. Somnath P. Gengaje-API, Gangapur Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd APRIL, 2024.

P.C. :

1. By this Application, Applicant is seeking relaxation of conditions imposed by this Court by order dated 15th September, 2023 in Bail Application filed by the Applicant.

2. Learned counsel for the Applicant submitted that as per the directions of this Court Applicant is visiting the police station and giving his attendance. Learned counsel further submitted that this

Court has prevented the Applicant from entering in the area of Nashik Municipal Corporation limits till the trial is concluded. Applicant is having home and business at Nashik. Applicant is the only earning member of his family and because of this condition Applicant cannot do his business. The Applicant having two daughter 5 years old and 8 years old . Applicant is depriving of their love. Though, the charge-sheet has been filed in the present case yet trial has not been commenced and no one knows when trial will be started. Learned counsel further submitted that the Applicant would file undertaking that he will not influence the prosecution witnesses. Learned counsel further submitted that the trial Court has released Accused No.1 on bail and while releasing him no condition is imposed on him. Hence, requested to allow the Application.

3. Learned APP, strongly objected to allow the Application on the ground that there was active role of the Applicant in the said crime, if bail conditions are relaxed Applicant may influence the prosecution witnesses. Hence, requested to reject the Application.

4. I have heard both learned counsel. This Court while allowing the Bail Application of the Applicant has imposed the conditions which are as follows;

- (i) The applicant shall attend the investigation of Gangapur police station, Nashik twice a month i.e. on 1st and 3rd Monday of every month between 11:00 am to 1:00 pm.
- (ii) The applicant shall not enter the area of Nashik Municipal Corporation limits till the trial is concluded.
- (iii) Further the applicant shall not leave the Nashik District without intimation to the Investigating Officer or without permission of the trial Court.
- (iv) The Applicant has already surrendered his passport to the Investigating Officer.
- (v) Except for attending the trial for the purpose of report to the Investigating Officer, the Applicant shall not enter the jurisdiction of Gangapur Police Station till the trial is concluded as well as witnesses and the intervenors are residing in the same area.

5. In the present case, the charge-sheet has been filed yet trial has not been started, it would take time to conclude the trial. The Applicant is permanent residence of the Nashik, his business situated in the Nashik. His family stays in the Nashik. Applicant has followed the condition imposed by this Court while allowing the Bail Application.

6. Considering these facts, I pass following order.

ORDER

- i. Application is allowed.
- ii. The Condition Nos.1, 2, 3, 4, and 5 imposed by this

Court while allowing the bail application are relaxed.

iii. The applicant shall file undertaking in respect of condition no.7 that he shall not directly or indirectly threat or influence the prosecution witnesses.

iv. Applicant shall attend the dates of the trial Court.

. Interim application stands disposed of.

(SHIVKUMAR DIGE, J.)