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

CRIMINAL APPLICATION NO. 83 OF 2023

Vikas Vitthal Kumbhar ...Applicant
Versus
The State of Maharashtra and anr. ...Respondents

Mr. Chirag Hatiramani, a/w Rishikesh Mishra, i/b Yogesh
Devmani, for the Applicant.

Mr. Y. M. Nakhwa, APP for the State/Respondent.

PI Pravin Sawant, EOW HSG II, Mumbai, present.

CORAM: N. J. JAMADAR, J.
DATED: 31st JANUARY, 2024

PC:-

1. Heard the learned Counsel for the parties.
2. This is an application to relax the condition of attendance imposed by the learned Additional Sessions Judge, while releasing the applicant on bail in connection with CR No.50 of 2022 initially registered with Dindoshi Police Station, Mumbai, for the offences punishable under Sections 420, 406, 465, 467 and 468 read with Section 34 of the Indian Penal Code, 1860 ("the Penal Code").
3. The learned Counsel for the applicant submits that, in the intervening period, the investigation has been transferred to EOW, Mumbai. The applicant has preferred Criminal

Application No.760 of 2023 to quash the said FIR. By an order dated 8th January, 2024, the Division Bench has directed the Investigating Officer not to file charge-sheet qua the petitioner till the next date of hearing without prior permission of the Court.

4. Clause (3) of the operative order dated 20th April, 2022 reads as under:

“3. The applicant/accused shall attend the Dindoshi Police Station on every Sunday from 10 a.m. to 1.00 p.m. till filing of the charge-sheet and shall also make available as and when called or required by the police.”

5. In view of the aforesaid development and the time-lag, the condition of attending Dindoshi Police Station every week, operates onerously.

6. In the event the applicant does not succeed in Criminal Application No.760 of 2023, the applicant shall attend EOW, on the first Monday of every alternate month for the period of one year from the date of decision in Criminal Application No.760 of 2023, if it is adverse to the applicant.

7. Rest of the conditions in the order passed by the learned Additional Sessions Judge shall continue to operate.

8. Application stands disposed.

[N. J. JAMADAR, J.]