

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

**INTERIM APPLICATION NO.4649 OF 2023
IN
CRIMINAL APPEAL NO.1348 OF 2019**

Mr. Prakash Ganpat Utekar .. Applicant
vs.
The State of Maharashtra .. Respondent

Mr. Anup Lahoti with Jaipal Tare Patil for the Applicant.
Mr. J. P. Yagnik APP for the Respondent-State.

**CORAM: A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 28th MARCH 2024

P. C.:-

1) This is an Application for relaxation of Condition No.4(iii) imposed upon the Applicant by Order dated 18th March 2020, while releasing the Applicant on bail. The said condition reads as under:-

“(iii) The Appellant shall visit Economic Offences Wing, Mumbai on every Sunday between 11.00 am to 2.00 pm.”

2) Mr.Lahoti, learned Advocate for the Applicant submitted that, since date of his release from jail, the Applicant is scrupulously complying with the said condition. That, the Applicant is a senior citizen aged about 63 years and it has become difficult for him to attend the said agency every Sunday. He therefore submitted that, the said condition be suitably

amended.

3) Mr.Yagnik, learned A.PP on instructions submitted that, necessary Orders in the interest of justice may be passed.

4) In view thereof, the condition no.4(iii) mentioned above is relaxed and instead the Appellant is directed to attend the trial Court on every date except precluded for medical reasons. The condition No.4(iii) is accordingly modified.

5) Application is allowed in the aforesaid terms.

(SHYAM C. CHANDAK,J.)

(A. S. GADKARI, J.)