

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

**INTERIM APPLICATION NO.2160 OF 2024
IN
CRIMINAL APPLICATION NO.42 OF 2019
IN
CRIMINAL APPEAL NO.1291 OF 2018**

Manan Jaivadan Dave

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Mr. Manan Jaivadan Dave, Applicant-in-person, present in Court.
- Mr. Shrikant H. Yadav, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 03rd SEPTEMBER, 2024**

P.C. :

1. This application is for relaxation of condition imposed on him vide the order dated 26/03/2019 passed in Criminal Application No.42 of 2019 in Criminal Appeal No.1291 of 2018. The Applicant's Appeal, against the Judgment and Order dated 28/09/2018 passed by the Additional Sessions Judge, Dindoshi, Goregaon, Mumbai, in POCSO Special Case No.25 of 2014; was admitted and by the said order dated 26/03/2019 passed in

Criminal Application No.42 of 2019, he was granted bail pending his Appeal. However, one of the conditions was that the Applicant had to report to the learned Additional Sessions Judge, Borivali Division, Dindoshi, Goregaon, once in three months. Learned counsel for the Applicant, who is appearing as a party in person, states that he is a practicing advocate and he has sincerely complied with the said condition and since the past 5 years he has been reporting to the said Court once in three months. He submitted that the Appeal is not likely to be decided within a reasonable period and therefore, that condition is required to be deleted.

2. Learned APP left the decision of the application, to the discretion of the Court.
3. I have considered these submissions. The Applicant has been following the condition imposed for about five years now. The Appeal is not likely to be decided in the near future. The Applicant is a practicing advocate. He has furnished sureties as directed by the said order. Therefore, I am inclined to allow this application.

4. Hence, the following order :

ORDER

- (i) The condition to report before the Additional Sessions Judge, once in a three months, vide the order dated 26/03/2019 passed in Criminal Application No.42 of 2019, in Criminal Appeal No.1291 of 2018, is deleted.

The other condition of furnishing sureties, is already complied with.

- (ii) With these observations, the application is disposed of.

(SARANG V. KOTWAL, J.)