

(This order is corrected as per speaking to minutes order dated 11th October 2024.)

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

**INTERIM APPLICATION NO. 2587 OF 2024
IN
BAIL APPLICATION NO. 1751 OF 2023**

Nasir Mohammed Yusuf Shaikh ... Applicant
Versus
The State of Maharashtra ... Respondent

Mr. A. B. Seth for the Applicant.
Mr. Kiran C. Shinde, APP for Respondent-State.

**CORAM: MANISH PITALE, J.
DATE : 10th SEPTEMBER 2024**

P.C. :

. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. By this application, the applicant seeks relaxation of conditions (c) and (h) imposed by this Court (Coram: M. S. Karnik, J.) in order dated 8th September 2023, passed in Bail Application No. 1751 of 2023.

3. The two conditions read as follows :

“(c) The applicant shall attend the Investigating Officer of Charkop police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(h) The applicant shall surrender his passport, if any, to the investigating officer.”

4. The learned counsel for the applicant submits that the applicant has no criminal antecedents and in the present case, he is facing prosecution for offences under Sections 406 and 420 read with 34 of the Indian Penal Code, 1860. It is submitted that now charge-sheet is filed and therefore, this Court may consider relaxing condition (c). He further submits that this Court may also consider returning the passport of the applicant.

5. The learned APP submits that he could not take instructions as to whether the applicant has abided by condition (c).

6. But, document at Exhibit 'C' indicates that the applicant has indeed abided by the said condition of attending the Investigating Officer of the concerned Police Station on the first Monday of every month.

7. Since the investigation is now completed and charge-sheet is already filed, this Court is inclined to relax condition (c) imposed on the applicant. As regards condition (h), no ground is made out for relaxing the said condition.

8. Accordingly, the application is partly allowed and condition (c) quoted herein above, is deleted and condition (h) shall be retained as it is.

9. The application is disposed of.

MANISH PITALE, J.