

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

**Interim Application No. 3196 of 2024
in
Criminal Bail Application No. 1108 of 2023**

Nitin @ Niteen Subhashchandra Shah
Age 56 years, Occ. Nil,
R/at. 673/2, Flat No.B-6,
Denalaxmi Society, Bibwewadi,
Pune – 411 037.

... Applicant

Vs.

The State of Maharashtra
(Through Senior Police Inspector,
Vita Police Station, Vita, Dist. Sangli)

... Respondent

Mr. Chandrakant Yadav, for the Applicant.

Mr. Amit A. Palkar, APP for the Respondent – State.

Coram: R. N. Laddha, J.

Date: 1 October 2024

P.C.

By this application, the applicant seeks relaxation of conditions (c) and (g) imposed by this Court (Coram: M.S. Karnik, J.) vide order dated 26 September 2023, in Criminal Bail Application No.1108 of 2023. The relevant operative

part of the order reads as follows:

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

(g) The applicant shall surrender his passport, if any, with the trial Court.”

2. Mr Chandrakant Yadav, the learned Counsel appearing for the applicant, submits that the applicant suffers from not only uncontrolled diabetes leading to vision refraction error but also lumbar disc prolapse. The applicant has been advised to refrain from travelling and take bed rest. Mr Yadav contends that the applicant finds travelling around 200 kilometres from Pune to Vita extremely difficult in this condition. The learned Counsel asserts that the applicant has duly attended the police station. The investigation has concluded, and a charge sheet has been filed; however, the trial has not commenced. Further, the learned Counsel submits that, at this stage, the applicant restricts his prayer only to the relaxation of condition (c), and does not press for

relaxing condition (g).

3. Mr Amit Palkar, the learned Additional Public Prosecutor representing the respondent/ State, confirms the medical condition of the applicant and acknowledges that the investigation is complete, and the charge sheet has been filed.

4. Considering these circumstances, especially the applicant's medical condition, this Court finds it appropriate to delete Condition (c) imposed by this Court (Coram: M.S. Karnik, J.) by order dated 26 September 2023.

5. The application stands disposed of accordingly.

(R. N. Laddha, J.)