

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

Interim Application No.3418 of 2024

In

Bail Application No.2975 of 2019

Prashant Kashinath Gaikwad

Age 35 years, Occ. Doctor,

R/o. Katke Mala, Baragaon Pimpri

Tal. Sinnar Dist. Nashik

... Applicant

versus

1. The State of Maharashtra

[Pimpalgaon Police Station]

2. Balika Nivrutti Bagul,

Ambedkar Nagar, Pimpalgaon,

Baswant Tal. Niphad, Dist. Nashik

... Respondents

Mr Mihir Kasliwal, a/w. Mr Aditya Hire, i/b. Rahul Kasliwal,
for the applicant (through VC).

Mr Arfan Sait, APP, for respondent No.1/ State.

Ms Ilsa Shaikh, appointed advocate for respondent No.2.

PSI MV Kolhe, Pimpalgaon Police Station, is present.

Coram: R.N. Laddha, J.

Date: 12 December 2024.

P.C.:

By this application, the applicant seeks modification of

condition No.(iii) imposed by the Coordinate Bench of this Court (Coram: Prakash D. Naik, J.) by order dated 8 November 2019, at the time of granting bail. The relevant operative part of the order reads as follows:

“(iii) The applicant shall attend Pimpalgaon Police Station once in a month on every first Saturday between 10 am and 12 noon till further orders.”

2. Mr Mihir Kasliwal, the learned Counsel appearing on behalf of the applicant, submits that, for the past five years, the applicant has regularly attended Pimpalgaon Police Station as required; however, to date, the trial has not commenced and attending the police station poses a challenge for the applicant. The applicant is ready to abide by any condition imposed by this Court.

3. Mr Arfan Sait, the learned Additional Public Prosecutor representing respondent No.1/ State, and Ms Ilsa Shaikh, the learned Counsel appearing on behalf of respondent No.2, jointly submit that the offence is serious. However, the learned APP, based on instructions from the investigating officer, concedes that the applicant has duly attended the concerned Police Station. If the Court is inclined to modify the condition, suitable orders be passed.

4. Considering the above, especially the fact that the applicant has duly complied with the condition for the past five years and the trial has not yet commenced, condition No.(iii) imposed by the order dated 8 November 2019 stands deleted. Needless to say, the applicant shall not in any manner tamper with the evidence or influence witnesses.

5. The application stands disposed of accordingly.

(R.N. Laddha, J.)