

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3508 OF 2024**

IN

BAIL APPLICATION NO. 785 OF 2023

Sant Lal Aggarwal

...Applicant

Versus

Serious Fraud Investigation Officer & Ors.

...Respondents

- Mr. Aditya Mithe a/w Mr. Krishna Tawari, for the Applicant.
- Ms. Amisha C. Salvi h/f H.S. Venegaonkar, for Respondent No.1.
- Ms. Rutuja A. Ambekar, APP for Respondent No. 2 – State.

CORAM : MANISH PITALE, J.

DATE : 30th August, 2024.

P. C. :

1. Heard, Mr. Mithe, learned counsel for the applicant and Ms. Salvi, learned counsel appeared for respondent No.1.

2. By this application, the applicant seeks modification of condition (c) imposed by this Court (*Coram : M.S. Karnik, J.*) while granting bail to the applicant by order dated 03.10.2023.

3. It is submitted on behalf of the applicant that the applicant has been abiding by the said condition since the date of the order.

4. It is submitted that the applicant is a senior citizen aged about 64 years and despite health ailments, a fact noted by this Court in the aforesaid order also, the applicant has attended the office of respondent No.1 i.e. Serious Fraud Investigation Office, Mumbai on 14 occasions. He was not questioned

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or interrogated in any manner during his visits to the office of respondent No.1. It is submitted that in these circumstances, this Court may consider relaxing the said condition.

5. The learned counsel appearing for respondent No.1 opposed the request on the ground that despite the taking note of the medical condition of the applicant, such a condition had had been imposed by this Court and no new circumstances have been brought to the notice of this Court for modifying / relaxing the said condition.

6. This Court has perused the papers. The applicant is indeed a 64 years old person. While granting bail to the applicant by order dated 03.10.2023, this Court had indeed taken note of the medical condition of the applicant and the fact that he had to be admitted during incarceration in the J.J. Hospital on a few occasions. The learned counsel for the applicant has tendered a compilation of documents, which include the medical reports in the context of the applicant that were submitted during the period of his incarceration. Reference is made to a recent discharge summary issued by Hospital at New Delhi, indicating the latest bout of ill-health that the applicant has suffered.

7. Considering the fact that the applicant had abided by the aforementioned condition after bail was granted to him and the fact that he is

a 64 years old person suffering from certain health conditions, it would be appropriate that the above condition is modified.

8. Accordingly, the application is partly allowed by modifying condition (c), read as follows :

“(c) The applicant shall attend the Serious Fraud Investigation Office, Mumbai, as and when called, till the trial concludes.”

9. The application is disposed of.

(MANISH PITALE, J.)