



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 752 OF 2024
IN
CRIMINAL APPEAL NO. 682 OF 2023

Ganesh s/o Pralhad Shejole Vs State of Maharashtra and another.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. V.R. Deshpande, counsel for applicant.

Mrs. M.A.Barbde, APP for non-applicant/State.

Ms. Anupriya S. Mishrikotkar, counsel (appointed) for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/09/2024.

1. This is an application for relaxation of condition. While releasing the applicant on bail, he was directed not to enter into the vicinity of village Gaulkhed, Taluka Shegaon, District Buldhana.

2. Learned counsel for the applicant submitted that now the victim is not residing in the said village, and therefore, a condition is now not required. In view of that, the said condition be relaxed.

3. The said application is strongly opposed by the State as well as learned counsel for the victim on the ground that the victim is studying in a 12th standard and she has to visit the said village to appear for the examination.

4. Learned counsel for the victim also submitted that the applicant's son is already looking after the agricultural

operation, so there is no immediate need to relax the said condition.

5. Considering the apprehension raised by the state as well as learned counsel for the victim, though the victim is not residing there, she occasionally visits the said village, i.e. Gaulkhed, to attend the school examinations as well as to attend board examination formalities. Therefore, the apprehension raised by the learned APP requires to be taken into consideration.

6. In view of that, it would be appropriate if the applicant file this application after the evidence of the victim is recorded before the learned trial court. In view of that, at this stage, I am not inclined to entertain this application. Hence, the application deserves to be rejected with liberty to file after evidence of the victim is recorded.

7. The fees of the appointed counsel be quantified as per Rule.

8. The criminal application (APPA) No. 752/2024 is disposed of.

[URMILA JOSHI-PHALKE, J.]