



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

CRIMINAL WRIT PETITION NO. 696 OF 2024

with

CRIMINAL WRIT PETITION NO. 698 OF 2024

with

CRIMINAL WRIT PETITION NO. 699 OF 2024

with

CRIMINAL WRIT PETITION NO. 701 OF 2024

with

CRIMINAL WRIT PETITION NO. 702 OF 2024

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CRIMINAL WRIT PETITION NO. 696 OF 2024

PETITIONER

: Bandu Gopalrao Bondade,
Aged 50 years, Occu. Business,
R/o Proprietor of M/s Bondade Developers
and Builders, Office at Lane no.22,
Panchvati Park, Tah. Hingna,
District Nagpur.

VERSUS

RESPONDENTS

: 1] State of Maharashtra,
through Superintendent of Prison,
Nagpur Central Jail, Nagpur.

2] Sanjay Domaji Badwaik
Aged 48 years, Occu. Private,
R/o Nildoh, MIDC, Tah. Hingna,
Dist. Nagpur.

with

CRIMINAL WRIT PETITION NO. 698 OF 2024

PETITIONER

: Bandu Gopalrao Bondade,
Aged 50 years, Occu. Business,
R/o Proprietor of M/s Bondade Developers
and Builders, Office at Lane no.22,
Panchvati Park, Tah. Hingna,
District Nagpur.

VERSUS

RESPONDENTS : 1] State of Maharashtra,
through Superintendent of Prison,
Nagpur Central Jail, Nagpur.

2] Roshan Subhashrao Rahate,
Aged 37 years, Occu. Private,
R/o Plot No. 27, Sadbhawna Nagar,
Godhani Road, Zingabai Takli,
Dist. Nagpur.

withCRIMINAL WRIT PETITION NO. 699 OF 2024

PETITIONER : Bandu Gopalrao Bondade,
Aged 50 years, Occu. Business,
R/o Proprietor of M/s Bondade Developers
and Builders, Office at Lane no.22,
Panchvati Park, Tah. Hingna,
District Nagpur.

VERSUS

RESPONDENTS : 1] State of Maharashtra,
through Superintendent of Prison,
Nagpur Central Jail, Nagpur.

2] Vijay Krishnaji Davre,
Aged 42 years, Occu. Private,
R/o Nildoh, MIDC, Hingna,
Dist. Nagpur.

withCRIMINAL WRIT PETITION NO. 701 OF 2024

PETITIONER : Bandu Gopalrao Bondade,
Aged 50 years, Occu. Business,
R/o Proprietor of M/s Bondade Developers
and Builders, Office at Lane no.22,
Panchvati Park, Tah. Hingna,
District Nagpur.

VERSUS

RESPONDENTS : 1] State of Maharashtra,
through Superintendent of Prison,
Nagpur Central Jail, Nagpur.

2] Atmaram Deogade,
Aged 45 years, Occu. Private,
R/o Raipur, Hingna, Tah. Hingna,
Dist. Nagpur.

with**CRIMINAL WRIT PETITION NO. 702 OF 2024**

PETITIONER : Bandu Gopalrao Bondade,
Aged 50 years, Occu. Business,
R/o Proprietor of M/s Bondade Developers
and Builders, Office at Lane no.22,
Panchvati Park, Tah. Hingna,
District Nagpur.

VERSUS

RESPONDENTS : 1] State of Maharashtra,
through Superintendent of Prison,
Nagpur Central Jail, Nagpur.

2] Anil Namdevraoji Ingole,
Aged 48 years, Occu. Private,
R/o Hanuman Nagar, Wanadongri,
Tah. Hingna, Dist. Nagpur.

Mr. Amit D. Bhate, Advocate for the petitioner.
Mrs. S.V.Kolhe, APP for State in CriWP Nos.696/24 & 701/24,
Mrs. R. V. Sharma, APP for the State in CriWP No. 698/2024,
Mr. H.D. Futane, APP for the State in CriWP No. 699/2024,
Mr. S. C. Joshi, APP for the State in CriWP No. 702/2024,
None for the respondent no.2, though served.

CORAM : G. A. SANAP, J.
DATED : SEPTEMBER 25, 2024.

ORAL JUDGMENT

1. **RULE.** Rule made returnable forthwith. Heard finally by the consent of the learned advocates for the parties.

2. In these writ petitions, the petitioner has questioned the correctness of the condition imposed by the Additional District Consumer Dispute Redressal Commission, Nagpur (For short 'Commission'), whereby the Commission, while deciding the bail application of the petitioner, was pleased to release him on bail, but by way of condition no.2 directed him to deposit 50% of the total financial liability towards decretal amount. The main grievance of the petitioner is that the order directing him to deposit the amount is contrary to the provisions of law. It is pointed that the order passed is beyond the scope of the provisions of Section 27 of the Consumer Protection Act, 1986.

3. I have heard Mr. Amit Bhate, learned advocate for the petitioner and the learned Additional Public Prosecutor for respondent no.1/State. Respondent no.2, in all these petitions, has not appeared, though, duly served.

4. Learned advocate for the petitioner submits that an identical petition bearing *Criminal Writ Petition No. 552 of 2024 (Bandu Gopalrao Bondade .vs. State of Maharashtra and another)* has been decided by this Court vide judgment and order, dated 19th August, 2024 and this Court was pleased to allow the said petition. Learned advocate submits that that the facts in all these petitions and the facts in Criminal Writ Petition No. 552/2024, decided by this Court, are similar. The petitioner in all these petitions is the same. Learned advocate submits that the condition in question, imposed while releasing the petitioner on bail, in all these petitions, is also similar to the one imposed in Cri.W.P. No. 552/2024. It is submitted that the present petitions are covered by the decision rendered on 19.08.2024 in Cri.W.P. No. 552/2024.

5. I have gone through the record and proceedings and also the decision rendered by this Court in Cri. Writ Petition No. 552/2024, dated 19.09.2024. I am satisfied that the facts of the present petitions are identical to the facts of Cri. Writ Petition No. 552/2024. All these petitions are covered by the said decision, dated 19.09.2024.

6. In view of the above and for the reasons recorded, in detail, by this Court while deciding Cri. Writ Petition No. 552/2024, all these writ petitions are allowed.

The condition no.2 imposed by the Commission vide orders dated 02.05.2024 and 24.05.2024, is quashed and set aside.

7. Rule is made absolute in the above terms.

(G. A. SANAP, J.)

Diwale