



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 265 OF 2024

Pawan S/o. Abhimanyu Ramteke

Vs.

The State of Maharashtra

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

Court's or Judge's Order

Shri Madhu Deo, Advocate for applicant.

Ms. Shamshi Haider, APP for non-applicant/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 13.03.2024

Heard the learned counsel for the applicant
and the learned APP for the non-applicant/State.

2. The application seeks relaxation of condition
no. (5) of the bail order dated 08.11.2023 passed by the
learned Additional Sessions Judge (ASJ), Gadchiroli in
Spl. POCSO Case No. 67/2023. The said condition no.
(5) of the said bail order is reproduced as under:-

*“5] The accused Pawan shall not enter the jurisdiction
of entire Gadchiroli District, till the completion of the trial,
except for attending the case at Sessions Court at
Gadchiroli, on the given date and that too by reporting his
appearance at Desaignj Police Station, in advance.”*

3. The contention is that main accused- Akshay
Ramteke, to whom major role has been attributed by the
victim, is released on bail but, no such condition of not
entering the jurisdiction of Gadchiroli District has not
been imposed by the High Court while granting bail to
him.

4. The contention is that the present applicant, who is a teacher, cannot attend his duty at Gadchiroli in the wake of imposing of condition no. (5) in the bail order i.e. not to enter the jurisdiction of Gadchiroli District where the School, in which the applicant is serving, is situated.

5. Considering the fact that no such condition was put to main accused- Akshay Ramteke, against whom the major role has been attributed, while granting bail and the place of service of the applicant, which is within Gadchiroli District, I proceed to pass the following order:-

i) The order dated 29.01.2024 passed by the learned Additional Sessions Judge, Gadchiroli, below Exh. 42, in Special POCSO Case No. 67/2023 is hereby quashed and set aside and the application Exh.42 filed by the applicant is hereby allowed.

ii) The condition no. (5) imposed on the applicant by the learned Additional Sessions Judge, Gadchiroli, in its order dated 08.11.2023, passed below Exh. 19, in Special POCSO Case No. 67/2023 is hereby relaxed.

iii) The application is allowed in the above terms.

(M. W. CHANDWANI, J.)