



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 817 OF 2025

Pravin S/o. Digambar Jadhav,
Age : 31 years, Occu. : Agriculture & Business,
R/o. Bori Shikari,
Tq. & Dist. Hingoli. ... Applicant.

Versus

The State of Maharashtra
Through Police Station Officer,
Basamba Police Station, Basamba,
Tq. & Dist. Hingoli. ... Respondent.

.....
Mr. Swapnil S. Rathi, Advocate for applicant.
Mr. P. K. Lakhotiya, APP for Respondent – State.
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CORAM : ABHAY S. WAGHWASE, J.
DATED : 09 APRIL 2025

ORDER :

1. Instant application is for relaxation of condition No.3 imposed by learned Additional Sessions Judge-3, Hingoli, in its order dated 18.05.2024 in Criminal Bail Application No. 200 of 2024.

2. Learned counsel submitted that, applicant was booked in Crime No. 25 of 2024 registered at Basamba Police Station for offence punishable under sections 307, 324, 323, 341, 427, 504, 506, 143, 147, 148 and 149 of Indian Penal Code. That, in above

crime, he moved Bail Application No. 200 of 2024 before learned Additional Sessions Judge, Hingoli and by order dated 18.05.2024, learned Judge was pleased to allow the bail application by imposing several conditions including condition no.3 i.e. not to enter into entire Hingoli District till conclusion of trial. That, now investigation is over and charge sheet is filed and matter is already committed. Therefore, there is no hurdle for applicant to enter his place of residence i.e. Bori Shikari, Tq. & Dist. Hingoli and he undertakes that he would not enter the place of occurrence till conclusion of trial.

3. Considering the year of crime, this court had sought report from learned trial Judge disclosing current status of the trial along with proposed calendar of trial.

4. Report has been received conveying that in view of order of Hon'ble Principal District & Sessions Judge, Parbhani dated 20.02.2025 case is transferred on the file of Principal District Judge, Hingoli for hearing and disposal on 24.02.2025, however, the matter again came to be transferred to this court by order dated 03.04.2025 and accordingly accused are directed to appear before the court for framing charge.

5. In view of above report, it is clear that now matter has reached the stage of framing charge. Meaning thereby, investigation is over. The learned Additional Sessions Judge seems to have prevented present applicant from entering the entire Hingoli District till conclusion of trial.

6. In view of above supervening circumstances, said condition i.e. clause no.3 of operative part is required to be modified. Hence, the following order is passed :-

ORDER

(I) The application is allowed.

(II) Clause no.3 of the order dated 18.05.2024 passed in Bail Application No.200 of 2024 is hereby modified to the following effect :

Applicant is permitted to enter Hingoli District except the vicinity of the place where occurrence took place. He is permitted to stay at his residence at Bori Shikri, Tq. & District Hingoli subject to following conditions :

[a] Applicant shall not misuse the liberty.

[b] Applicant shall not contact informant and witnesses and shall attend court dates regularly.

(III) Rest of the conditions are kept intact.

(ABHAY S. WAGHWASE, J.)